

JANUARY 6, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, January 6, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2247, 15-2256, and 15-2263 to be removed from consent and voted upon separately.

STAFF BRIEFINGS - NONE

Note: Prior to going into Closed Session it was announced that there was no Business Location and Expansion or Consult with Attorney matter to be discussed in Closed Session.

**(15-2249, 15-2272, 15-2280) CLOSED SESSION – CONSULT WITH ATTORNEY, BUSINESS LOCATION AND
EXPANSION AND PERSONNEL MATTER**

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Personnel Matter.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:37 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

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Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

PUBLIC APPEARANCE

(15-2248) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Alan Winninger addressed an incident that occurred with him on October 4, 2014 at the Mecklenburg County jail. Mr. Winninger while incarcerated woke up with chest pains, which turned out to be a heart attack. Mr. Winninger said jail staff did not respond to his request for medical assistance in a timely manner. Mr. Winninger said the behavior of jail staff was not in keeping with the County's Code of Ethics.

Mr. Winninger said he left messages for the County Manager, but no one returned his calls. Mr. Winninger said he wanted the County Manager to initiate a formal investigation.

Mr. Winninger said he opened an investigation by the Mecklenburg County Sheriff's Office and it was determined that "wrong doing" had occurred and action was taken. He said everything was videotaped.

Mr. Winninger thanked Medic for the services it provided to him at that time. He said were it not for Medic, he would not "be here today."

Mr. Winninger said even though he was incarcerated, he still expected to receive better service and assistance from the Sheriff's Office staff. Mr. Winninger noted that the charges against him were dismissed.

Tom Drake addressed the forthcoming 2015 Multi-Jurisdiction Hazard Mitigation Plan. Mr. Drake asked the Board to direct staff to include in the Plan, prior to submitting it to the state for preapproval, geomagnetic storms. Mr. Drake addressed geomagnetic storms. He said it was "a natural hazard with potentially catastrophic consequences." Mr. Drake shared a handout on the subject of Severe Geomagnetic Storms and the Electric Grid.

A copy of the handout is on file with the Clerk to the Board.

APPOINTMENTS

(15-2261) APPOINTMENTS

DOMESTIC VIOLENCE ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Domestic Violence Advisory Board:

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Sybil Richardson Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Voting Ceased

Roslyn Stitt

Chairman Fuller announced the appointment of Sybil Richardson to the Domestic Violence Advisory Board to fill an unexpired term expiring April 30, 2015.

She replaces Beverly Foster. Ms. Foster resigned.

WOMEN'S ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Women's Advisory Board:

Andrea Brown	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Ridenhour, and Scarborough
Kimberly Caldwell	None
Miyoshi Petty	Commissioners Dunlap, Fuller, Leake, Puckett, and Scarborough

Voting Ceased

Jasmine Starks
Elizabeth Wemlinger

Chairman Fuller announced the appointments of Andrea Brown to the Women's Advisory Board to fill an unexpired term expiring June 30, 2016 and Miyoshi Petty for an unexpired term expiring November 30, 2015.

They replace Jaime Daniell and Marjorie White Molina, both of whom resigned.

PUBLIC HEARINGS

(15-2268) HOPEWAY FOUNDATION TEFRA HEARING

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open TEFRA public hearing and receive comments on proposed financing.

The Chairman held the public hearing described below and introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 OF THE PUBLIC FINANCE AUTHORITY MENTAL HEALTH CARE FACILITIES REVENUE BONDS (HOPEWAY FOUNDATION) SERIES 2015

WHEREAS, at 6:40 P.M., the Chairman announced that the Board of Commissioners (the "Board") would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the "Authority"), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$9,000,000 of its Mental Health Care Facilities Revenue Bonds (HopeWay Foundation), Series 2015 (the "Bonds");

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WHEREAS, the Authority will loan the proceeds of the Bonds to HopeWay Foundation, a North Carolina nonprofit corporation (the "Borrower") and the Borrower will use the proceeds of the loan from the Authority for the purpose of financing the costs of acquiring, renovating, and improving existing school and other facilities, consisting of a main school building, a gymnasium and two single-family residential houses all on a 12.61 acre campus located at 1705, 1717 and 1835 Sharon Road West, Charlotte, North Carolina, for use by the Corporation as mental health facilities (the "Project");

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is located (the "Project Jurisdiction");

WHEREAS, the Borrower has requested that the Board approve the financing of the Project and the issuance of the Bonds in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement") and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on December 19, 2014, a notice of public hearing was published in The Mecklenburg Times, setting forth a general, functional description of the type and use of the facilities to be financed, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: Mr. William F. Blue Jr., Chairman of HopeWay Foundation, 6801 Fairview Road, Suite D, Charlotte, NC, 28210 appeared at the public hearing and answered questions from a member of the Board of County Commissioners about the location of the proposed facility, and about the mental health treatment options that would be offered at the new facility.

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance the Project, provided that in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code and

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Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Motion was made by Commissioner James, seconded by Commissioner Leake, to close the public hearing and adopt resolution entitled: RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 OF THE PUBLIC FINANCE AUTHORITY MENTAL HEALTH CARE FACILITIES REVENUE BONDS (HOPEWAY FOUNDATION) SERIES 2015 and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extract/Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

County Manager Diorio addressed the topic of Ethics and Fraud Prevention. The following was noted:

ETHICS

- Mecklenburg County Internal Audit Department has two new initiatives developed in partnership with the County's Legal Counsel & Compliance Officer, Public Information, and Human Resources.
- The first new initiative is the County's Ethics Program.
- To promote the County's message of Ethics and Integrity, the County has developed a formal Ethics Program.
- The language in the Code of Ethics was updated to clarify the roles and expectations of ethical behavior for all employees as County Officials.
- A new on-line annual Ethics Training Module has been developed for all employees and will be rolled out in February.
- Upon the roll out of the training module, all employees will receive a bookmark as a reminder of key points in the County's Code of Ethics.
- The County will designate an Ethics Officer for employees to reach out to when faced with an ethical dilemma or as a resource for additional information as needed.

FRAUD PREVENTION

- The second initiative is the re-branding of the Report Line, which will be called the Fraud Hotline.
- Posters will be distributed throughout the County for employee awareness of the Fraud Hotline.
- The County will continue to use a third party vendor for the receipt of calls.
- The Fraud Hotline will continue to be available 24 hrs. a day, 7 days a week.
- The new Fraud Hotline will be rolled out this month, January, along with the annual Fraud Awareness Training.

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Comments

Commissioner Clarke asked had employees been given the definition of fraud and what constitutes fraud. *Internal Audit Director Joanne Whitmore said the Fraud Awareness Training Module that was rolled out last year covered the definition and what constitutes fraud.*

Internal Audit Director Whitmore said if ethical concerns are communicated on the Fraud Hotline, those concerns would be shared with the Ethics Officer and addressed.

Commissioner Clarke asked was the intent of the Fraud Hotline to provide employees with a mechanism for reporting what they believed to be violations of the County's Ethics Policy or to report what they believed to be fraud. *Internal Audit Director Whitmore said the intent was to communicate to employees that the Fraud Hotline was to be used to report fraud concerns only.*

Commissioner James asked was there interconnection between the new Fraud Hotline and the Department of Social Services Fraud Unit. *Internal Audit Director Whitmore said the Department of Social Services Fraud Unit and their efforts would still exist. She commented on the differentiation.*

Commissioner Leake asked if the County had policies with respect to ethics and fraud. *The response was yes.*

Chairman Fuller asked was the Fraud Hotline being marketed in a way that employees understand that if they had any type of concern, that concern could be communicated via the Fraud Hotline. *Internal Audit Director Whitmore said the intent was to try and separate an ethical or general concern from a fraud concern. She noted, however, that regardless of the type of call received, it would be channeled to the appropriate area.*

Chairman Fuller said he wanted employees to feel comfortable with calling the Fraud Hotline regardless of what their concern was.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

(15-2269) IKEA PARTNERSHIP

The Board received a report on Mecklenburg County's partnership with IKEA Charlotte. Youth and Family Services Director Charles Bradley addressed the partnership. He was joined at the podium by Zach Tate and Camilo Aviles from IKEA.

Note: IKEA chose to partner with Youth and Family Services, a department of DSS, to improve the condition of the Family Visitation Center in the Bob Walton Plaza. Interior designers from IKEA Charlotte visited the center and provided updated designs for the waiting room and 7 additional visitation rooms. IKEA Charlotte then donated furniture, toys, toy boxes, books, and games for the renovated areas. IKEA Charlotte's contributions have enabled parents and their children to have visits in an age appropriate environment reflective of a home like setting. The ecologically friendly furniture and toys promote opportunities for children to interact and preserve relationships

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with their parents and others who are important to them. The brightly colored walls, age-appropriate décor, and interactive and educational toys in the newly out fitted rooms also allow visits to occur in a non-intimidating environment. The parents/caregivers are more at ease during the visits and are able to contribute to the psychological wellbeing and developmental progress of their children.

The Youth and Family Services Division of the Mecklenburg County Department of Social Services serves approximately 700 families in Mecklenburg County and surrounding areas whose lives have been impacted by issues of child abuse and neglect as well as other complex factors such as mental health challenges, substance abuse, domestic violence, unemployment and other issues that impact successful family functioning. The Visitation Unit is charged with the coordination of court-ordered supervised visitation involving parents seeking reunification with their children who have been placed in legal custody of Mecklenburg County. The Family Visitation Center at Bob Walton Plaza is where the majority of the visits are held.

(15-2265) CHANGES TO PEARSON'S ADJUSTED VALUES PREVIOUSLY APPROVED BY THE BOCC

County Assessor Ken Joyner gave an update on the status of the 2011 Revaluation Review. He also addressed changes to Pearson's Appraisal Service adjusted values previously approved by the Board on July 1, 2014.

A copy of memos addressing these matters is on file with the Clerk to the Board.

Comments

Commissioner James asked for clarity on how the process would work with respect to taxpayers repaying the County for refunds received in error or releases from unpaid 2014 taxes. *County Assessor Joyner addressed this.*

Commissioner Dunlap asked for clarity regarding penalties, which was addressed. It was noted that in this instance, penalties were not applicable, per Session Law 2013-362.

Commissioner Dunlap asked under what conditions would Board of Equalization and Review (BER) members have additional information from what Pearson's Appraisal Service had, that would cause the BER to change values that were approved by Pearson's.

County Assessor Joyner said he didn't have an answer to the question of where or how BER members might have or obtain additional information from what Pearson's Appraisal Service had.

Commissioner Dunlap asked who would have more knowledge about what the actual value would be for a property, the BER or Pearson's. *County Assessor Joyner said Pearson's.*

Commissioner Ridenhour asked if staff had any idea how many taxpayers that received discovery bills still lived in Mecklenburg County and the number of instances of a change in property owners. *County Assessor Joyner said he didn't know the answer at this time.*

Commissioner Cotham asked about the amount of money involved with respect to the refunds that were mailed incorrectly, per the information presented. *County Assessor Joyner said the total taxes either refunded or releases from unpaid 2014 taxes was \$67,469.38.*

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Commissioner Clarke asked did the pattern hold correct for what Pearson's Appraisal Service had predicted with respect to their findings as it related to changes in values. *County Assessor Joyner said yes, per his conversation with Pearson's.*

County Assessor Joyner elaborated on findings and where the majority of changes occurred. He also addressed staff plans for moving forward in preparation of future revaluations.

Commissioner Clarke said perhaps a new software system was needed for a method of assessing properties that were in a heterogeneous neighborhood, as oppose to the methodology used before.

Chairman Fuller asked had there been instances where the BER's value assessment was different from Pearson's. *County Assessor Joyner said another staff member worked with the BER, but from the hearings that he sat in on, there were instances where there were errors and consistency issues that came up at the BER level.*

County Assessor Joyner said when you're working under this type of timeframe, there will be errors.

County Assessor Joyner said it's been his observation that the BER was especially concerned about consistency and equity within neighborhoods.

Commissioner James left the dais and was away until noted in the minutes.

Chairman Fuller asked County Assessor Joyner if he was saying that Pearson's value was no more valuable than someone who sat on the BER. *County Assessor Joyner said he was only saying that based on the number of parcels involved, that there will be a certain percentage of those taxpayers who have a valid claim.*

Chairman Fuller asked if there was or should be a big difference between Pearson's value determination and the BER's. *County Assessor Joyner said in most cases no, but misclassifications could occur.*

Commissioner Ridenhour asked about the number of parcels the BER lowered and the number increased. *County Assessor Joyner said he would be able to provide an answer in a forthcoming closeout report.*

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Mecklenburg County Board of Commissioners January 2015 Resolution Authorizing Adjustments (in values) In accordance with Session Law 2013-362.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

Commissioner James returned to the dais.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

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CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2246) LAND DONATION -- CLEMS BRANCH GREENWAY

Accept the donation of a portion of Tax Parcel 223-531-06 (± 1.5807) on Clems Branch in South Charlotte from Johnston Road Apartments, LLC.

Note: This property will be included in the greenway system.

(15-2250) MINUTES

Approve Minutes of Regular meeting held December 16, 2014 and Closed Session held December 16, 2014.

(15-2254) CONSTRUCTION CONTRACT -- WESLEY HEIGHTS GREENWAY

Award a construction contract to Eaglewood Construction, Inc. in the amount of \$758,818.83, pending and upon receipt of written concurrence with award by NCDOT.

Note: This contract is to construct the Cedar Street to Summit Avenue section of the Wesley Heights Greenway.

(15-2255) CONSTRUCTION CONTRACT -- UPPER MCALPINE CREEK GREENWAY

Award a construction contract to OnSite Development, LLC in the amount of \$1,603,405.32.

Note: This contract is for the construction of Upper McAlpine Creek Greenway between Sardis Road and Independence Avenue.

(15-2257) LAND ACQUISITION -- IRWIN CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel 145-179-23 (± 0.67 acres) in the amount of \$15,000 for the future construction of Irwin Creek Greenway.

(15-2258) APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 as follows:

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- Mary Jo Gollnitz is hereby designated as a Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add her name.
- Jim King shall be deleted from the Resolution adopted April 3, 2012.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2259) DONATION FOR PARALYMPIC SPORTS CLUB -- METROLINA (PARK AND RECREATION)

Accept and appropriate a donation of \$377 from Mark Oil Company for the Paralympic Sports Club-Metrolina, a program of Mecklenburg County Park and Recreation/Therapeutic Recreation Section to support ongoing Paralympic Sports Club programs.

(15-2260) LAND DONATION AND CONVEYANCE -- LITTLE SUGAR CREEK GREENWAY

Accept the donation of Tax Parcel 175-134-96 (± 0.04 acres) and a portion of Tax Parcel 175-151-37 (± 0.44 acres) from Park Selwyn, LLC for inclusion into Little Sugar Creek Greenway; and

Agree to reservations of temporary construction and permanent utility, storm water, access and slope easements on the above listed parcels for the benefit of the current owner, Park Selwyn, LLC to facilitate its multifamily development project; and

Accept the donation of a permanent greenway easement ($\pm 4,602$ square feet/ ± 0.101 acres) on Tax Parcel 175-134-01 for the future construction of a portion of Little Sugar Creek Greenway trail from Park Selwyn, LLC.

(15-2262) LIGHTING AGREEMENT -- FIRST WARD PARK

Authorize the County Manager to execute a 3-year NC Service Agreement with Duke Energy for pedestrian and area lighting for the new First Ward Park.

(15-2266) TAX REFUNDS

Approve refunds in the amount of \$37,318.42 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2270) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from Viola House, owner of property at 1243 Spruce Street (Tax Parcel 199-042-01) for \$121,000; and

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Accept donation from McRorie Rentals, LLC, owner of undeveloped floodplain property at 2250 Purser Drive (Tax Parcel 099-062-01); and

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the Spruce Street structure for training exercises.

Note: Acquisitions are being made as a part of the Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

(15-2271) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

Receive a report provided by Pearson's Appraisal Services summarizing the changes in value resulting from recent neighborhood reviews; and adopt Mecklenburg County Board of Commissioners January 2014 Resolution Changing Abstracts and Authorizing Refunds and Taxes in Accordance with Session Law 2013-362 approving the value changes and any resulting refunds, releases or discoveries.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2247) LAND DONATION -- STEELE CREEK

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to accept the donation of a portion of Tax Parcel 203-252-01 (± 10.1241 acres) on Steele Creek in South Charlotte from CK Ridge Creek West Land, LLC.

Note: The property to be acquired is located within the parcel's S.W.I.M. buffer and is along Steele Creek, an adopted greenway corridor.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2256) SELECTION OF ARCHITECTS POLICY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt revisions to Policy of the Mecklenburg County Board of Commissioners for Selection of Architects.

Note: The revisions are as follows:

- *Change the estimated fee threshold requiring use of the qualifications-based selection process (currently \$30,000 per BOCC policy) to align with changes in State legislation. The ratified House Bill 857 from the*

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- *2013 Session of the General Assembly changed the \$30,000 threshold to \$50,000.*
Allow an alternate general contractor to be appointed temporarily by the Director of Asset and Facility Management in the event the Board appointed representative cannot serve. This will allow staff to proceed with the selection process under unusual circumstances (health, schedule, etc.).

Policy recorded in full in Minute/Ordinance Book _____, Document #_____.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2263) LEASE -- CMS CELL TOWER

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline to exercise the County's statutory right of first refusal which will allow the Charlotte-Mecklenburg Board of Education to enter into a lease with Berkley Group, LLC for placement of a cell tower on the James Martin Middle School at Governors Village campus.

Note: North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate that is proposed for disposal. To comply with this statute, CMS must offer the above cell tower site to the County prior to entering into a lease agreement with Berkley Group, LLC.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Leake asked County Manager Diorio to find out about Charlotte-Mecklenburg Schools' leasing process. Commissioner Leake noted that in some instances Charlotte-Mecklenburg Schools was leasing the use of facilities for a very minimal amount and that the lease holder was then subleasing the facility out for a much greater amount. Commissioner Leake said none of those additional funds were being shared with CMS or the County. Commissioner Leake noted that school facilities were paid for by the County.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:53 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, January 21, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, Bill James
Vilma D. Leake, Jim Puckett, Matthew Ridenhour
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner George Dunlap

-INFORMAL SESSION-

Commissioners Puckett and Scarborough were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2274, 15-2277, and 15-2290 to be removed from consent and voted upon separately.

STAFF BRIEFINGS - NONE

**(15-2284, 15-2295, 15-2297) CLOSED SESSION – CONSULT WITH ATTORNEY, LAND ACQUISITION AND
BUSINESS LOCATION AND EXPANSION**

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: 303 Delburg Street, Davidson, NC.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Land Acquisition and Business Location and Expansion.

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The Board went into Closed Session at 5:12 p.m. and came back into Open Session at 6:10 p.m.

Commissioner Scarborough was present when the Board came back into Open Session. She entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(15-2282) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

(15-2285) NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Rodney Kiser to the Building Development Commission as the Master Electrical Contractors Association of NC or Charlotte representative for a three-year term expiring January 30, 2018.

He replaces Charles Horne, who is no longer eligible to serve having served multiple terms.

CHARLOTTE-MECKLENBURG COALITION FOR HOUSING

Motion was made by Commissioner Clarke, seconded by Commissioner Cotham and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Vanessa Eichman to the Charlotte-Mecklenburg Coalition for Housing as an Education representative for a three-year term expiring June 30, 2018.

Note: This is a new slot.

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HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Deanna Arnold to the Human Resources Advisory Committee for a three-year term expiring January 31, 2018 and to nominate and appoint LisaMarie Delaney to fill an unexpired term expiring January 31, 2017.

She replaces Paula Harvey, who resigned because of relocating outside of Mecklenburg County.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Kourtney Welborn to the Juvenile Crime Prevention Council as the Youth representative for a two-year term expiring June 30, 2017.

She replaces Taylor Manchester, who was the last youth to serve.

PLANNING COMMISSION

The following persons were nominated for appointment consideration to the Planning Commission: Jonathan Dausman (nominated by Commissioner Clarke), Lowell Faison (nominated by Commissioner Scarborough), Nasif Majeed (nominated by Commissioner James). The remaining applicants were nominated by Commissioner Ridenhour: Alice Fabre, Amanda Pasquarello, Jeffery Reynolds, William Sigmon, Christopher Brown, Jason Cook, Adam Grabiec, Karla Knotts, and Carl Riedl.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Planning Commission must undergo an interview process.

REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Natalie Tunney to the Region F Aging Advisory Committee as a Delegate representative to fill an unexpired term expiring June 30, 2015.

She replaces Marilyn O'Connor, who resigned.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

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MANAGER'S REPORT

County Manager Diorio addressed the topics below as part of her Manager's Report.

Executive Recruitments

- The Board was given an update on the search for a new Charlotte-Mecklenburg Planning Director as a result of former director Debra Campbell being promoted to an Assistant City Manager for the City of Charlotte.

It was noted that because of the joint undertaking agreement between the County and the City of Charlotte regarding the Planning Department, the County would be a participant in the selection process.

- The Board was given an update on the search for a new Charlotte Area Transit Services (CATS) Director as a result of former director Carolyn Flowers acceptance of a position out of state.

It was noted that because of the joint undertaking agreement between the County and the City of Charlotte regarding CATS, the County would be a participant in the selection process.

ADA Complaint Romare Bearden Park

County Manager Diorio called on Asset and Facility Management Director Mark Hahn to provide an update in response to an Americans with Disabilities Act (ADA) complaint with respect to Romare Bearden Park.

Director Hahn noted the following:

- On September 10, 2014, the County received a complaint about stairs and accessibility to the water feature area accessed from West Martin Luther King Jr. Blvd.
- While Romare Bearden Park meets ADA Accessibility Guidelines (ADAAG) and code requirements, the complaint focused on the civil rights portion of ADA law, rather than the technical requirements of the design. The complaint asserted that the set of two stairways at this location prevents visitors with disabilities from accessing this particular program area in the same manner as the general public.
- November 2014, County Staff (including Park & Recreation, Asset & Facility Management and County Manager's Office) met several times to discuss the issue and identify possible solutions both internally and with local disability rights advocates.
- Several short-term solutions to close access to the stairs, including planters and/or benches, were considered while a long term solution was being explored. The plans for these short-term solutions were shared with disability rights advocates in the community who agreed with the approach.
- On December 17, 2015, two benches were installed at Romare Bearden Park temporarily closing access to the stairs.
- Because there are numerous ways to access the park, Romare Bearden Park has remained open and accessible.

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Conclusion:

To provide a prompt response to the complaint, benches have been placed across the stairs as a temporary measure to direct all visitors along an alternate accessible route (i.e., providing same access for everyone).

Closing down both entrances temporarily at this particular location satisfied the civil rights complaint. While the water feature is accessible to everyone by taking other accessible routes, staff is working on a long-term solution to ensure access to the water feature from this area is the same for all visitors.

The proposed solution involves replacing one stair with a ramp to provide direct access. All phases of the project will take approximately 8-10 weeks to complete depending on availability of materials and weather. Staff is also developing a process to train project managers and consultants on how to now consider the civil rights portion of the law as access to government programs and facilities are designed.

Comments

Commissioner James asked about the receipt of the ADA complaint, which was addressed. It was noted that the complaint was channeled through the advocacy group, Disability Rights and Resources.

Commissioner James expressed disappointment with the short term solution. Commissioner James said his preference would have been to only block off one side and indicate that a ramp was going to be installed.

Director Hahn addressed the difference between ADA code compliance and civil rights compliance.

Commissioner Puckett entered the meeting.

Commissioner Cotham expressed concern that the park designer wasn't aware of all of the ADA requirements.

Commissioner Ridenhour echoed Commissioner James' sentiments.

Commissioner Clarke said the placement of benches across the stairs as a temporary measure to direct all visitors along an alternate accessible route was just a "minor inconvenience, if that."

Chairman Fuller expressed support of staff's decision to block off access to everyone, until the permanent solution of a ramp was completed.

County Manager Diorio said the County would re-engage the disability rights community going forward with respect to future capital projects.

County Manager Diorio said as a County, with respect to civil rights, when it's known that the County has violated someone's civil rights, you "cannot compromise." County Manager Diorio said the County had to move forward and take "swift" action, in order to make sure everyone understood that the County was committed to correcting the problem. Thus, as the County Manager, the decision was made to temporarily block off access to everyone.

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(15-2286) MECKLENBURG LIVABLE COMMUNITIES PLAN

The Board received an update on the Mecklenburg Livable Communities Plan, which included a list of potential partners.

Heidi Pruess, Community Plan and Sustainability Officer gave the update.

Note: Mecklenburg County (along with the City of Charlotte and six Towns) has developed numerous localized plans and vision documents, but there does not exist a County-wide/Community unified vision or document that brings the existing plans and programs together, establishes performance measures toward our future community, and entails a robust community engagement approach to communicate between siloed efforts.

Mecklenburg Livable Communities is a joint initiative of the County, City, Towns, and Foundation For The Carolinas, to develop a collaborative plan that:

- 1) Identifies commonalities, overlaps, and gaps with existing plans throughout the various jurisdictions within Mecklenburg County*
- 2) Provides policymakers a strategy to organize and communicate common goals and values that produce a better quality of life*
- 3) Identifies opportunities to highlight unique municipal identity and character*
- 4) Identifies opportunities for partnerships that increase outcomes and eliminate duplicative efforts and tear down silos*
- 5) Increases community awareness of programs and policies that align to achieving the community's unified vision*

Comments

Chairman Fuller asked had Sustain Charlotte been involved. *The response was yes.*

Commissioner Leake noted that similar studies/plans had been done in the past and questioned the difference between those and what was being embarked upon. *Ms. Pruess addressed the difference.*

Commissioner Leake requested a copy of the prior plan that was developed around land use. *Ms. Pruess said she would locate some of the prior plans and get them to Commissioner Leake.*

Commissioner Cotham asked about the cost of this endeavor. *Ms. Pruess said a contract was entered into with the International City/County Management Association for \$300,000. The cost was being shared by the County and the City of Charlotte in the amount of \$125,000 each, with the remainder being covered via grants from the Foundation for the Carolinas and the Knight Foundation.*

Commissioner James asked was the Board being asked to approve the Plan.

County Manager Diorio said the Board was being asked to endorse the concepts of the Plan, with the understanding that there were many parts of the Plan that were not within the County's purview.

County Manager Diorio said the Plan would be used as a mechanism for the County to do its strategic planning.

County Manager Diorio said the County would take the things that it could impact and place that into the County's strategic planning effort. It's anticipated that the City of Charlotte and the Towns would do the same.

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County Manager Diorio said this would be a communitywide plan that many entities would have the responsibility in helping to implement.

Commissioner James asked had the Plan been shared with Town officials. *Ms. Pruess said the initial draft was shared with the Towns and that what was being presented to the Board at tonight's meeting would also be shared with the Towns.*

Commissioner James asked about and expressed concern for the wording of the affordable housing options and job training addressed in the Plan.

Commissioner James said he was not comfortable endorsing the Plan until after receiving feedback from the Towns.

Commissioner Scarborough asked was this not a "living, breathing" document that would continue to be worked on with the various partners; thus there's opportunity for changes. *The response was yes.*

Commissioner Ridenhour expressed concern as it related to an unelected body having such a responsibility as outlined in the Plan with respect to making certain decisions.

Commissioner Ridenhour said in the long run, it would be the elected officials who would be held accountable for the Plan.

Commissioner Puckett suggested rather than the Board endorsing the "Plan," that it should be the endorsement of the "process."

Commissioner Puckett said it was his understanding that what was being shared was the first step in developing what eventually would be done by the partners involved.

Commissioner Puckett said he was okay with endorsing what was presented as a "process" towards a plan.

Ms. Pruess said Commissioner Puckett was correct in his assessment of what was being asked of the Board.

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and carried 7-1 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner James voting no, to adopt Resolution of Endorsement for the Mecklenburg Livable Communities Plan Process.

Commissioner Puckett noted that the word "process" was being added to the title with the understanding it's an endorsement of the process and not an endorsement of everything in the Plan as presented by Ms. Pruess.

Prior to the above vote, Commissioner Clarke spoke favorably of what was presented. He said this was not "a government plan," but one that involved a lot of engaged citizens.

Commissioner Puckett noted that what he liked most about the plan, as presented, was the measurements piece. He said the measurements were clearly defined and data driven measurements of success.

Commissioner Puckett said as the process is rolled out, the County should make sure each entity that adopts this, understands this is a "process."

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Commissioner Puckett said he was hopeful that the other entities would be invited to and that they would, define and redefine what those measurements were and how they would define and measure success.

Commissioner Puckett said the County should be receptive to hear from the other entities regarding their definition of success and the measurements they would use to determine that success.

Commissioner Puckett said he liked the fact that it's stated in the proposed plan that it's a "livable" document and that it's "flexible."

Chairman Fuller said this process gives the community the opportunity to "set its destiny," with respect to where it wants to go as a community. He said this process allows it to be done in an explicit manner.

Chairman Fuller said he didn't agree with everything that was presented, but he endorses the concept that there needs to be a "unified" plan, a consensus of the community as to how to move forward together.

Chairman Fuller thanked Ms. Pruess for her work on this effort, as well as, others.

Resolution recorded in full in Minute/Ordinance Book _____ Document# _____.

(15-2287) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for January 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

(15-2288) FEATURE DEPARTMENT PRESENTATION: PUBLIC INFORMATION DEPARTMENT

The Board received as information a verbal report from Director of Public Information Danny Diehl regarding the Department's current initiatives.

STAFF REPORTS & REQUESTS

(15-2292) CONSTRUCTION MANAGER @ RISK CONTRACTING METHODOLOGY FOR COUNTY PROJECTS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the use of Construction Manager @ Risk Contract Methodology for the following Capital Improvement Projects as being in the best interest of each project:

- Integrated Security Upgrades to Mecklenburg County Jail Facilities (\$6.4 M)
- Renovations to the Mecklenburg County Aquatic Center (\$8.6M).

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Note: With the Construction Manager at Risk (CM@Risk) project delivery method, the construction manager assists the County with scheduling, constructability, and budget control prior to construction and the CM is accountable for delivering the project on-schedule and within budget during construction.

Note: Bryan Turner with Asset and Facility Management addressed this request, prior to the vote.

Commissioner James asked for clarity on the difference between this process and the competitive bid process, especially as it related to selecting the lowest responsible bidder. He also asked about the selection of subcontractors. *Project Manager Turner addressed both issues.*

Commissioner Puckett also asked for clarity on the Construction Manager at Risk process, particularly as it related to entering into contracts. He also asked about the use of process for jail projects. *Project Manager Turner addressed both issues.*

Chairman Fuller asked about the Aquatic Center and whether the County would be able to incorporate the renovations, per the requested action, with what has been discussed by some regarding the future of the Aquatic Center if those ideas come to fruition.

County Manager Diorio said a team had been assembled to look at development in the area of the Aquatic Center and building a second tank in the same area. She said discussions were on-going and that Park and Recreation Director Jim Garges participates in those discussions.

County Manager Diorio said it was made clear that the County would entertain any proposals brought forward regarding the future of the Aquatic Center, but that the County would continue with its renovation plans.

County Manager Diorio said the Aquatic Center would be closed in June so that the needed renovations, which have been pending since 2008, could be done.

(15-2296) RESEARCH POSITIONS TO EVALUATE PROGRESS ON ENDING HOMELESSNESS

Motion was made by Commissioner Cotham, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize two management analyst positions in Community Support Services Department, Homeless Services Division; and recognize and appropriate \$27,000 from Foundation of the Carolinas to support this program.

Note: Director of Community Support Services Stacy Lowry presented this matter to the Board, prior to the vote.

Comments prior to the above vote:

Commissioner Leake asked could it be guaranteed that the efforts put forth would indeed end homelessness in Mecklenburg County. Commissioner Leake said efforts to end homelessness have been on-going for years, yet, homelessness was still an issue for the community.

Director Lowry said she could not provide a “guarantee,” but that in the last eight years, the community has tried different strategies to work towards ending homelessness. Director Lowry said what they’ve found was that there was no “silver bullet” to ending homelessness. Further, that homelessness should be approached from the perspective of focusing on needs of the individual and families. Director Lowry said as a result of those findings, the

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focus was now on more targeted initiatives, such as ending homelessness for the community's veterans by the end of 2015 and chronic homelessness by the end of 2016.

Director Lowry said this was a community issue.

Commissioner Leake suggested it would be more appropriate to say we're "working toward" ending homelessness, rather than we're "ending" homelessness within a specified timeframe.

Chairman Fuller noted that it's been said that chronic homelessness would end in Mecklenburg County by the end of 2016.

Director Lowry said December 31, 2016 was the Housing for Charlotte/Mecklenburg Initiative's date for ending chronic homelessness in the community.

Commissioner Leake said she'd like to see a "wash house," a place where the homeless could go and get cleaned up, made available for the homeless.

Commissioner Scarborough asked that it be kept in mind that homelessness starts with "economics" and that people have to have jobs in order to sustain themselves and their families.

Commissioner Scarborough said another issue as it related to the homeless was the issue of mental illness. She said there were some individuals who because of mental issues won't be able to sustain themselves or their family.

Commissioner Scarborough said consideration needs to be given on all levels of government to "going back" to mental institutions. She said there were persons who may never get to a point where they could take care of themselves.

Commissioner Cotham said homelessness was a very "complicated" issue. Commissioner Cotham echoed Commissioner Scarborough sentiment that many of those that were homeless had mental problems. Commissioner Cotham said many of them because of their mental state, had no desire to have permanent housing.

Commissioner Cotham said she believed the focus of the Housing for Charlotte/Mecklenburg Initiative was only on 450 homeless individuals. Commissioner Cotham said even if the 450 individuals were helped, there would be more to replace them. Commissioner Cotham said the issue of homelessness was on-going.

Commissioner Cotham said many that were homeless also had a criminal record, which was an obstacle in finding housing.

Commissioner Cotham said she was supportive of the efforts being put forth, but she doesn't feel that as a community, homelessness would end in 2016. Commissioner Cotham said the homeless would always "be with us" and that as a community we should continue to do whatever we could to assist those that were homeless.

COUNTY COMMISSIONERS REPORTS & REQUESTS

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(15-2293) CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of the Charlotte Area Fund, Inc. Community Services Block Grant Application.

Note: The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. The agency has been providing services to the economic disadvantaged since 1963 through a variety of programs promoting self-improvement and self-sufficiency. CAF is governed by an 18-member Board of Directors representing public officials, the private sector and low-income citizens of the community. Current services funded by the Community Services Block Grant includes employment counseling, vocational skills training, computer training, GED preparation/basic skills upgrade, job development and placement, income management/budget counseling, nutrition assistance, and limited crisis intervention. CAF receives grant funding from a combination of Federal and State resources for agency activities. Each year, CAF provides the County an opportunity to comment on its proposed work program for the coming year, prior to submission of its grant application.

Karen Brackett Browning, Executive Director, Charlotte Area Fund addressed the grant application. She was accompanied at the podium by Board member Aaron McKeithan.

Several Board members expressed thanks to the Charlotte Area Fund for its work in the community.

(15-2301) BOARD COMMITTEES (CHAIRMAN FULLER)

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to re-affirm the following Board committees for calendar year 2015:

- 1) Economic Development Committee
- 2) Health and Human Services Committee
- 3) Intergovernmental Relations Committee
- 4) Audit Review Committee
- 5) Performance Review Committee

Note: The Board's Policy and Standard Operating Procedures for Board Committees states at its first regular meeting in January each year, the Board will establish, re-affirm or dissolve standing committees as determined by a majority vote of the Board. It is being recommended that the Board re-affirm the above listed committees. The policy also states the Board Chairman will appoint members and the chairs of the standing committees for one-year terms, or until the Board re-affirms or dissolves the standing committee.

(15-2295) CLOSED SESSION - LAND ACQUISITION

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Historic Landmarks Commission purchase of the house and land parcel 00327330 located at 303 Delburg

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Street, Davidson, NC for \$120,000, and recognize and appropriate up to a total of \$300,000 for the purchase and renovation of the house.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2276) SET PUBLIC HEARING -- ALEXANDERANA ROAD NAME CHANGE

Set a public hearing for February 17, 2015 at 6:30 pm. to request changing the name of existing Alexanderana Road to Alexandriana Road.

Note: The Olde Huntersville Historical Society and some property owners along Alexanderana Road are petitioning to rename this street to Alexandriana Road. According to historic records Alexandriana is the correct spelling. Correcting the spelling would restore the historic name of the road.

(15-2278) SET PUBLIC HEARING -- I-77 SERVICE ROAD NAME CHANGE

Set a public hearing on February 17, 2015 at 6:30 p.m. for the request to change the name of South I-77 Service Road to Chartown Drive.

Note: This road was originally part of NC Hwy 21. It was cut off by the construction of I-77 and never renamed. It currently is referred to as I-77 Service Road. The area is now being developed for commercial uses which will require a proper street name for emergency response.

(15-2279) SET PUBLIC HEARING -- POPLAR TENT CHURCH ROAD NAME CHANGE

Set a public hearing on February 17, 2015 at 6:30 p.m. for the request to change the name of existing Poplar Tent Church Road to Poplar Tent Road.

Note: Portions of this road are in Mecklenburg County, and portions are in Cabarrus County. The Mecklenburg County portions are named Poplar Tent Church Road, and the majority of the road in Cabarrus County is named Poplar Tent Road. Changing the name along the Mecklenburg County portion to Poplar Tent Road would keep the name consistent along the whole stretch of road and prevent possible confusion, particularly for emergency response providers.

(15-2283) MINUTES

Approve Minutes of Regular meeting held January 6, 2015 and Closed Session held October 21, 2014 and November 5, 2014.

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(15-2289) AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2014 real estate and personal property Taxes.

Note: The advertisement is a notification to taxpayers of outstanding tax balances.

(15-2291) TAX REFUNDS

Approve refunds in the amount of \$8,165.90 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$161,180.09 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2304) RESOLUTION APPROVING APPOINTMENT OF DIRECTOR OF THE CONSOLIDATED HUMAN SERVICES AGENCY

Adopt resolution on the County Manager's recommendation for Director of the Consolidated Human Services Agency.

***RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS ADOPTING THE
COUNTY MANAGER'S RECOMMENDATION
FOR DIRECTOR OF THE CONSOLIDATED HUMAN SERVICES AGENCY***

WHEREAS, in February 2008, Mecklenburg County Board of Commissioners created a consolidated county human services agency governed by a consolidated human services board, pursuant to G.S. 153A-77(b), and assumed the powers, responsibilities and duties of the consolidated human services board in accordance with G.S. 153A-76 and 153A-77(a); and

WHEREAS, the Board of Commissioners consolidated the provisions of human services in Mecklenburg County under the direct control of the County Manager, who exercises all powers, responsibilities and duties of a human services director as the same is described in G.S. 153A-77(b), and who serves, or his or her designee, in the capacity of the human services director with the consent of the consolidated human services board, which in Mecklenburg County is the Board of County Commissioners; and

WHEREAS, under G.S. 153A-77(e) the human services director of a consolidated county human services agency reports directly to the County Manager and shall be appointed and dismissed by the County Manager with the advice and consent of the consolidated human services board; and

WHEREAS, the County Manager has exercised this authority and recommends to this Board, that she assume the duties of Director of the consolidated county human services agency in conjunction with her position as County Manager;

NOW, therefore, be it RESOLVED that the Board of Commissioners of Mecklenburg County, pursuant to G.S. 153A-76, 153A-77 and this Board's resolution adopted February 5, 2008, does hereby consent to the County Manager's assuming the duties as Director of the County's consolidated human services agency unless and until such time the County Manager deems it necessary to appoint a designee.

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Resolution recorded in full in Minute/Ordinance Book _____ Document# _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2274) GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION GRANT TO EXPAND SUPERVISED VISITATION / SAFE EXCHANGE SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

Approve submission of a grant in the amount of up to \$200,000 to Governor's Crime Commission to expand supervised visitation/safe exchange services; and

Recognize, receive and appropriate funds for the amounts awarded for the duration of the grant period; and

Authorize up to five temporary part-time monitor positions funded through the grant award.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2277) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate Medicaid Revenue in Children's Developmental Services (CDS) in the amount of \$173,880; and approve creation of 2 Interpreter positions.

Note: The Medicaid Revenue increase in the amount of \$173,880 will be used to fund 2 new interpreter positions and contracted interpreter services due to an increase in the number of non-English speaking families. Funds will also be used to replace cubicles for staff to increase privacy and confidentiality of protected health information.

Commissioner Leake removed this item from Consent for more public awareness. Director of Provided Services Organization Connie Mele addressed this item.

(15-2290) GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a formal grant application for funding in the amount of \$96,863 from the Governor's Crime Commission; and if awarded, recognize, receive and appropriate such funds.

Note: Criminal Justice Services operates a prisoner reentry services program and one existing case manager position is currently funded using a Federal grant that expires on September 30, 2015. This grant application will seek State

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funding through the Governor's Crime Commission to cover the position's cost for the remainder of FY16 (9 months) and for all of FY17.

Commissioner Leake removed this item from Consent for more public awareness. Community Support Services Director Stacy Lowry addressed this grant, along with a representative from Criminal Justice Services.

ADJOURNMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:12 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

FEBRUARY 3, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, February 3, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap
Bill James, Vilma D. Leake, Jim Puckett
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2299, 15-2300, 15-2313, 15-2316, and 15-2317 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

Prior to going into Closed Session it was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

(15-2298, 15-2312, 15-2362) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY, AND PERSONNEL MATTER

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-0- with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Personnel Matter.

The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 6:30 p.m.

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Commissioner Clarke was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Pastor Sheldon Shipman, Greenville Memorial AME Zion Church at the request of Commissioner Dunlap, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

(15-2316) PROCLAMATION -- TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 15-2316 Proclamation - Teen Dating Violence Prevention (TDV) and Awareness Month from the Consent section of the agenda to Awards/Recognition.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring February 2015 as Teen Dating Violence Prevention (TDV) and Awareness Month in the City of Charlotte/Mecklenburg County.

Note: Melissa Siegle-Barrios with Community Support Services addressed upcoming events associated with Teen Dating Violence Prevention and Awareness Month. She was joined at the podium by several students and other members of Community Support Services staff.

The proclamation was read by Commissioner Leake.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2310) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Pastor Jordan Boyd - Rockwell AME Zion Church, Evie Landrau - Caldwell Presbyterian Church, Pastor Hamani Fisher - City Dive Outreach, and Bishop Wade Ferguson III – 15th Street Church of God, participants in the Health Department's Community/Faith-Based Outreach Initiative, "Village HeartBeat," addressed the importance of the initiative. They asked the Board to continue budgetary support of the initiative through the Health Department. They were joined at the podium by other ministers from the community, supporters of Village HeartBeat, as well.

Note: "Village HeartBeat is designed to prevent heart disease risk factors using a collaborative, team approach that

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engages faith-based and/or neighborhood organizations. Efforts target African American and Hispanic communities given the disproportionately higher burden of heart disease and associated behavioral and environmental risk factors in these populations.”

Note: Pastor Fisher suggested the County consider utilizing the Faith Community’s facilities when looking at satellite locations for providing needed services throughout the community.

Dondhi Burrell, Administrative Trustee of the Double Oaks Masonic Outreach Center, and on behalf of Zechariah Alexander, Sr. Masonic Lodge #833, Prince Hall Affiliate, addressed the Masonic Lodge’s lease agreement with Charlotte-Mecklenburg Schools (CMS), which includes the right to sublease space. The Outreach Center is located in the former Double Oaks School. Mr. Burrell said their rental rates for space was comparable to the rates of several Park and Recreation facilities. (Note: Mr. Burrell appeared in response to comments made regarding CMS’ lease of Double Oaks at the Board’s January 6, 2015 meeting during the discussion of the placement of a cell tower on the James Martin Middle School property and CMS’ leasing process.

Cherry Reeves noted her prior appearance before the Board and expressed continued concern for her homelessness state. She also expressed concern for her children, whom she said were taken from her by Youth and Family Services. Ms. Reeves requested a meeting with someone from staff to discuss her situation.

Commissioner Scarborough asked the County Manager to schedule a meeting on Ms. Reeves’ behalf with someone on staff. Commissioner Scarborough said would attend that meeting.

APPOINTMENTS

(15-2319) NOMINATIONS/APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Paul Bass, Cleve Daniels, Rufus Hutchinson and Joseph Willoughby to the Board of Equalization and Review for a three-year term expiring April 16, 2018, effective April 17, 2015.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Bruce Miller as Chair of the Board of Equalization and Review for the duration of his term, effective April 17, 2015.

Commissioner James nominated all applicants for appointment consideration to the Board of Equalization and Review: Lebyron Corbett, William Hawkins and Jack Morgan.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Board of Equalization and Review must undergo an interview process.

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(15-2323) TOWN OF DAVIDSON PLANNING BOARD

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Michael Higgs to the Town of Davidson Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as recommended by the Town of Davidson Board of Commissioners for a term effective January 1, 2015 and expiring December 31, 2017.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

(15-2294) PLANNING COMMISSION -- REZONING PETITION 2014-01(C) - PETITIONER SOUTHERN APARTMENT GROUP, BALLANTYNE, LLC

Commissioner Clarke asked to be excused from voting on Item 15-2294 Planning Commission - Rezoning Petition 2014-01(c)-Petitioner Southern Apartment Group, Ballantyne, LLC, to avoid a conflict of interest.

Note: Commissioner Clarke acknowledged at prior meetings when this matter was before the Board that the Petitioner was a client of his law firm, Moore & Van Allen.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to excuse Commissioner Clarke from voting on Item 15-2294 Planning Commission – Rezoning Petition 2014-01(c)-Petitioner Southern Apartment Group, Ballantyne, LLC to avoid a conflict of interest.

Commissioner Clarke left the dais and was absent for the remainder of the meeting.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and carried 7-1 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner James voting no, to approve Petition #2014-01 (c), a request for a change in zoning from R-8MF(CD)(multi-family residential, conditional) to NS (neighborhood services)as recommended by the Zoning Committee of the Planning Commission.

Note: The Zoning Committee of the Planning Commission voted 7-0 to recommend APPROVAL of this petition with the following modifications:

1. The parking ratio has been amended from 1.0 space for each 300 gross square feet of office use to 1.0 space for each 350 gross square feet of office use.

2. Provided a color version of the conceptual site plan. See attached recommendation.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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MANAGER'S REPORT

County Manager Diorio noted the following under her Manager's Report:

- On February 10, 2015 everyone is asked to wear orange in recognition of Teen Dating Violence Prevention and Awareness Month.
- On February 6, 2015 everyone is asked to wear red in recognition of National Wear Red Day, a campaign sponsored by the American Heart Association to raise awareness about women and heart disease.
- Since smoking and the use of tobacco products increases the risk of heart disease and stroke, and in light of the Board's recent passage of regulations/ordinance to have tobacco free parks and smoke free government grounds, each Commissioner was given a red Tobacco-Free Mecklenburg T-shirt in recognition of National Wear Red Day and as a thank you to the Board for its leadership. It was asked that the T-shirt be worn on February 6, 2015. Dr. Marcus Plescia, Director, Mecklenburg County Health Department distributed the T-shirts.
- Recruitment Updates
 - The Board was given an update on recruitment efforts for the following positions within the County: Chief Information Officer (IT Director), Economic Development Director, and Assistant County Manager.
- On January 28, 2015, County Manager Diorio and the leadership at the Department of Social Services met with the Dr. Aldona Zofia Wos, Secretary of the North Carolina Department of Health and Human Services (DHHS).
 - The County was commended and received compliments for the Department of Social Services staff and its efforts for addressing challenges associated with the delivery of public assistance benefits and the protection of children.
 - Secretary Wos emphasized the importance of the partnership between the County and the State in continuing to tackle Medicaid recertification efforts, as well as, the continued implementation of NCFast.
 - The County's initiative to develop a community base service delivery model for human services was shared with Secretary Wos. Secretary Wos expressed support of the initiative.

(15-2328) CARDINAL INNOVATIONS COMMUNITY OVERSIGHT BOARD

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Community Support Services Director Stacy M. Lowry to serve as the Board's designee on the Cardinal Innovations Community Oversight Board.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

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STAFF REPORTS & REQUESTS

(15-2309) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional child care subsidy and administration revenue of \$2,937,063 from the North Carolina Division of Child Development and Early Education (DCDEE). The federal revenue increased by \$2,590,180 and state revenue \$346,883.

Note: The additional funds are estimated to serve 800 children on the child care subsidy waiting list through May 30, 2015.

Rodney Adams, Deputy Director of the Department of Social Services presented this matter to the Board.

Comments prior to the above vote:

Commissioner Leake commented on the high cost of childcare. She thanked DSS staff for its work in this area.

Commissioner Cotham asked whether the amount of funds received, the expected amount. *Deputy Director Adams addressed the state's allocation process.*

Commissioner Leake asked about the number of children being served. *Deputy Director Adams said about 6,900 children were currently being served and that 4,044 were on the waiting list.*

Commissioner Leake asked about funding needed to provide services to those on the waiting list, which was addressed.

Commissioner James said it was important to understand that the County's ability to provide this service was impacted the amount of state and federal funds received.

Commissioner Cotham asked about the local impact of cuts made by the state last year in the area of childcare. *Deputy Director Adams said he would get the answer to Commissioner Cotham's question.*

Commissioner Scarborough suggested staff seek assistance from the private sector in the form of partnerships, to help fill the gap and provide assistance to families in need of this service.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

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(15-2273) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

Receive a report provided by Pearson's Appraisal Services summarizing the changes in value resulting from recent neighborhood reviews; and Adopt Mecklenburg County Board of Commissioners February 2015 Resolution Changing Abstracts and Authorizing Refunds and Taxes in Accordance with Session Law 2013-362 approving the value changes and any resulting refunds, releases or discoveries.

A copy of the report is on file with the Clerk to the Board.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2302) GRANT APPLICATION -- NC CLEAN WATER MANAGEMENT TRUST FUND

Authorize the County Manager to submit a stream restoration grant application to the North Carolina Clean Water Management Trust Fund (CWMTF) for Little Sugar Creek Environmental Restoration Initiative Phase 11 up to an amount of \$400,000; and Authorize the Chairman to execute the Authorization to File Application and Enter Into a Grant Contract with CWMTF; and Upon award of grant, recognize and appropriate amount awarded for the grant period.

(15-2305) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Frances Black, owner of property at 5112 Dolphin Lane (Tax Parcel 099-082-20) for \$95,000.
2. Accept the Offer of Sale of Real Estate from Felecia Gardner and Navoid Russell, owner of property at 4034 Crestridge Drive (Tax Parcel 145-212-13) for \$80,000.
3. Accept the Offer of Sale of Real Estate from David and Carrie Jones, owners of property at 4100 Crestridge Drive (Tax Parcel 145-212-12) for \$80,000.
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: The acquisitions are a part of the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). This action will consist of acquiring and demolishing the existing structures.

(15-2306) LAND DONATION -- COFFEE CREEK GREENWAY

Accept the donation of Tax Parcels 201-375-68 (±1.483 acres) for the future construction of a portion of Coffee Creek Greenway trail from YFP Development LLC.

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(15-2311) MINUTES

Approve Minutes of Regular meeting held January 21, 2015 and Closed Session held January 21, 2015, November 5 and October 21, 2014

(15-2314) LAND DONATION -- TAGGART CREEK

Accept donation of Tax Parcel 115-075-01 (+/- 6.1 acres) on Taggart Creek in west Charlotte from the City of Charlotte to add to the County's greenway system.

(15-2315) ENGINEER SELECTION FOR 2015-2016 FISCAL YEAR MECKLENBURG COUNTY STREAM RESTORATION PROJECTS

Authorize the County Manager to negotiate fees and execute contracts with firms to complete the design of the 2015-2016 Fiscal Year Storm Water Stream Restoration Projects.

Note: Assignment of projects and award of projects to selected consultants shall be contingent on availability of funds and/or the award of grants. The stream restoration projects are:

*Lower Little Sugar Creek - Tyvola Road to South Carolina State Line
Stewart Creek - I-85 to Tuckaseegee Road
Torrence Creek - Statesville Road to Reese Boulevard
West Branch Rocky River - Grey Road to Fisher Farm
Stevens Creek - Thompson Road to I-485*

The pool of firms:

*Kimley-Horn and Associates, Inc.
Wildlands Engineering, Inc.
HDR Engineering of the Carolinas, Inc.
Stantec Consulting Services, Inc.*

The selection of a firm for a specific project will be based on the type of project and the firm's expertise/experience.

(15-2318) GRANT APPLICATION -- NC DIVISION OF ENVIRONMENTAL ASSISTANCE AND CUSTOMER SERVICE (NCDEACS)

Approve submission of a grant application to NC Division of Environmental Assistance and Customer Service (NCDEACS) in the amount of \$31,000 for the direct purchase of two (2) compacting roll-off systems that will be used to collect commingled residential recyclable materials; and If awarded, recognize, receive and appropriate the amount of the grant award and authorize the County Manager to execute the grant award contract with NCDEACS.

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(15-2320) TAX REFUNDS

Approve refunds in the amount of \$6,734.20 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the board.

(15-2327) RESOLUTION -- MECKLENBURG LIVABLE COMMUNITIES PLAN PROCESS

Approve Resolution of Mecklenburg County Board of Commissioners for Endorsement of Mecklenburg Livable Communities Plan Process based on action taken by the Board at its January 21, 2015 Regular meeting.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2299) CMS -- LEASE RENEWAL FOR LIFESPAN, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline to exercise the County's statutory right of first refusal which will allow the Charlotte-Mecklenburg Board of Education to enter into a lease with LifeSpan, Inc. for the former Lakeview School at 3127 Kalyne Street in Charlotte.

Note: North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate that is proposed for disposal. To comply with this statute, Charlotte-Mecklenburg Schools (CMS) must offer the above school district owned property to the County prior to entering into a lease renewal agreement with LifeSpan, Inc. The County's Asset and Facility Management Department has determined that the County does not need to acquire the subject property for any County-related operations and recommends declining the County's right of first refusal.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2300) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$65,000 from the Casey Family Programs for the grant period.

Note: The funds will be used to contract with a family partner agency to expand community support services and resources and provide follow-up home visits for welfare families for the period of 1/1/15 through 12/31/15. No County match is required.

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Commissioner Leake removed this item from Consent for more public awareness.

(15-2313) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional federal revenue in the amount of \$203,395 from the Centralina Council of Government (CCOG) to reflect actual federal revenue allocations.

Note: The Centralina Council of Governments (CCOG) and Mecklenburg County Department of Social Services entered into a contractual agreement to provide services for the elderly and disabled citizens of Mecklenburg County. These additional funds will be used in the Senior Nutrition program to cover the cost of meals provided to senior citizens and transportation.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2317) COMPOST CENTRAL NEW SITE CONSTRUCTION -- GRADING

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a contract with BMCO Construction, Inc. for the Compost Central New Site Construction project in the amount of \$1,438,386.

Commissioner Leake removed this item from Consent for more public awareness. Joe Hack, Project Manager with LUESA, addressed the item.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:03 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

FEBRUARY 19, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Thursday, February 19, 2015.

Note: The purpose of the Special Meeting was to consider those items that were scheduled for the Board's Regular Meeting that was scheduled for Tuesday, February 17, 2015, but was not held because of inclement weather.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, George Dunlap, Bill James,
Vilma D. Leake, Matthew Ridenhour, and
Ella B. Scarborough
County Manager Dena R. Diorio
Deputy County Attorney Tyrone Wade
Clerk to the Board Janice S. Paige

Absent: Commissioners Patricia "Pat" Cotham and Jim Puckett

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2321, 15-2329, 15-2334, 15-2337, 15-2346, 15-2347, 15-2357, and 15-2368 to be removed from consent and voted upon separately.

STAFF BRIEFINGS - NONE

(15-2373, 15-2381) CLOSED SESSION – CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session it was noted that there was no Land Acquisition matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session to Consult with Attorney.

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The Board went into Closed Session at 5:37 p.m. and came back into Open Session at 5:53 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Chairman Fuller acknowledged and expressed congratulations to Charlotte-Mecklenburg Police Chief Rodney Monroe upon his receipt of the Order of the Long Leaf Pine Award. The Order of the Long Leaf Pine is among the most prestigious awards presented by the Governor of North Carolina. It is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guidelines by which recipients are selected for the award.

Chairman Fuller asked the Board to consider moving Item (15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION up on the agenda to be addressed after the County Manager's Report.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to move Item (15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION up on the agenda to be addressed after the County Manager's Report.

Chairman Fuller asked the Board to consider moving Item (15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT up on the agenda to be addressed under Staff Reports and Requests after the Code Enforcement Update item.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to move Item (15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT up on the agenda to be addressed under Staff Reports and Requests after the Code Enforcement Update item.

AWARDS/RECOGNITION - NONE

(15-2371) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

APPOINTMENTS

(15-2365) NOMINATIONS/APPOINTMENTS

FEBRUARY 19, 2015

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint LaTonya Pearson and Cozzie Watkins to the Adult Care Home Advisory Committee for three-year terms expiring February 28, 2018.

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Cindy DeForest Hauser to the Air Quality Commission as the Scientist representative for a three-year term expiring August 31, 2018.

She replaces Karim Kheireddine, who declined reappointment consideration last year.

Commissioner Clarke nominated all remaining applicants for appointment consideration to the Air Quality Commission: John Arbogast, Jeff Baker, Ted Hogan, Chad Mitchell and DeAndrea Newman.

Note: An appointment will occur on March 3, 2015.

BOARD OF MOTOR VEHICLE REVIEW

Commissioner Clarke nominated Warren Neff for appointment consideration to the Board of Motor Vehicle Review.

Note: An appointment will occur following an interview of the above nominee by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Board of Motor Vehicle Review must undergo an interview process.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Scott Shelton to the Building Development Commission as the Charlotte Heating & Air Conditioning Contractors Assoc. representative to fill an unexpired term expiring January 30, 2016.

He replaces Ezequiel Acosta, who failed to meet the attendance requirement for 2014.

Commissioner Dunlap nominated the following applicants for appointment consideration to the Building Development Commission: John Price and Wanda Towler.

Note: An appointment will occur on March 3, 2015.

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INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Maurice Dunn, Amit Ginotra, Gary Rautenstrauch, Mary Lou Stant and Lutemuka Zuendoki to the Information Services & Technology Committee for three-year terms expiring February 28, 2018.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Justin Havis, Derrick Love, Jyotheeswara Reedy and Kenneth Tripp to the Information Services & Technology Committee for three-year terms expiring February 28, 2018.

They replace Charles Ashford, who declined reappointment consideration, Gregory Hardin and Bill Hodges, who were no longer eligible for reappointment and Shelton Ivey, who failed to meet the attendance requirement for 2014.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Carl Terrell to the Waste Management Advisory Board for a three-year term expiring February 28, 2018.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint the following persons to the Women's Advisory Board to fill unexpired terms expiring as noted: Kimberly Caldwell-May 30, 2015, Dana Cuberson- November 30, 2015, Mallorri Hermanson-April 30, 2015 and Jasmine Starks-June 30, 2016.

They replace Stephanie Gryder and Beverly Hunt, who resigned and Alicia Jones-Muhammad and Cynthia Pride, who failed to meet the attendance requirements for 2014.

(15-2379) WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Ollie Frazier to the Waste Management Advisory Board as recommended by the Town of Matthews for a three-year term expiring October 31, 2018.

PUBLIC HEARINGS

(15-2322) ALEXANDERANA ROAD NAME CHANGE – ITEM WAS REMOVED FROM AGENDA

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Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2324) SOUTH I-77 SERVICE ROAD NAME CHANGE - ITEM WAS REMOVED FROM AGENDA

Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2325) POPLAR TENT CHURCH ROAD NAME CHANGE - ITEM WAS REMOVED FROM AGENDA

Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2333) LIMITED OBLIGATION REFUNDING BONDS PUBLIC HEARINGS

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO CERTIFICATES OF PARTICIPATION (2009A MECKLENBURG COUNTY)

PUBLIC HEARING

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) of the North Carolina General Statutes, as amended, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve the amendment to an installment financing contract in order to refinance all or a portion of the obligations thereunder. Under the contract, the County obtained financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in the amount of \$90,765,000 to finance the Projects described in the Notice of Public Hearing

The Chairman announced that the notice of the public hearing was published in The Mecklenburg Times on or before February 7, 2015.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the public hearing.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on or who responded in writing to the notice of public hearing, are as follows:

No one appeared to speak.

After the Board had heard all persons who had requested to be heard, Commissioner Dumont Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Ella B. Scarborough and was unanimously adopted.

* * *

Commissioner Dumont Clarke introduced the following Resolution which was read by title, and moved it be adopted:

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RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO CERTIFICATES OF PARTICIPATION (2009A MECKLENBURG COUNTY)

WHEREAS, financing and refinancing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding refinancing amendments to an installment financing contract that financed certain capital projects;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) First Supplemental Installment Financing Agreement to be dated as of May 1, 2015 (the "Supplemental Agreement") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) First Supplemental Trust Agreement to be dated as of May 1, 2015 (the "Supplemental Trust Agreement") between the Corporation and Branch Banking & Trust Company, as trustee;
- (3) Official Statement (the "Official Statement") relating to Limited Obligation Refunding Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation (the "Bonds");
- (4) Bond Purchase Agreement (the "Purchase Contract") between Wells Fargo Bank, National Association (as representative of the underwriters) and the Corporation;
- (5) Escrow Deposit Agreement dated as of May 1, 2015, by and between the County and Branch Banking & Trust Company, as escrow agent;

WHEREAS, the Board of Commissioners of the County wants to approve those documents and the sale of the Bonds and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

1. The Board hereby finds and determines in connection with the proposed installment financing contract refinancing amendment that (a) such proposed installment financing contract amendment is necessary or expedient to the County, (b) such proposed installment financing contract amendment, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract amendment are adequate and not excessive for their proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract amendment will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract refinancing amendment under Article 8 of Chapter 159 of the General Statutes of North Carolina.
3. The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract amendment with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation thereof and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.

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4. Each of the Supplemental Agreement, the Escrow Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
5. The Supplemental Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
6. The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.
7. The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the refinancing. Execution of the Agreement Amendment by the Chairman of the Board, the County Manager, the Director of Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.
8. All actions of the County effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
9. This Resolution shall become effective immediately upon its adoption.

Commissioner Ella B. Scarborough seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document #____.

* * *

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO REFUNDING LIMITED OBLIGATION BONDS, SERIES 2009

PUBLIC HEARING

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) of the North Carolina General Statutes, as amended, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve the amendment to an installment financing contract in order to refinance all or a portion of the obligations thereunder. Under the contract, the County obtained financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in the amount of \$223,980,000 to refinance the Projects described in the Notice of Public Hearing

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The Chairman announced that the notice of the public hearing was published in The Mecklenburg Times on or before February 7, 2015.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the public hearing.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on or who responded in writing to the notice of public hearing, are as follows:

No one appeared to speak.

After the Board had heard all persons who had requested to be heard, Commissioner Dumont Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was unanimously adopted.

* * *

Commissioner Dumont Clarke introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO REFUNDING LIMITED OBLIGATION BONDS, SERIES 2009

WHEREAS, financing and refinancing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding refinancing amendments to an installment financing contract that refinanced certain capital projects;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) First Supplemental Installment Financing Agreement to be dated as of May 1, 2015 (the "Supplemental Agreement") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) First Supplemental Trust Agreement to be dated as of May 1, 2015 (the "Supplemental Trust Agreement") between the Corporation and Regions Bank, as trustee;
- (3) Official Statement (the "Official Statement") relating to Limited Obligation Refunding Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation (the "Bonds");
- (4) Bond Purchase Agreement (the "Purchase Contract") between Wells Fargo Bank, National Association (as representative of the underwriters) and the Corporation;
- (5) Escrow Deposit Agreement dated as of May 1, 2015, by and between the County and Regions Bank, as escrow agent;

WHEREAS, the Board of Commissioners of the County wants to approve those documents and the sale of the Bonds and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

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- (1) The Board hereby finds and determines in connection with the proposed installment financing contract refinancing amendment that (a) such proposed installment financing contract amendment is necessary or expedient to the County, (b) such proposed installment financing contract amendment, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract amendment are adequate and not excessive for their proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract amendment will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
- (2) The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract refinancing amendment under Article 8 of Chapter 159 of the General Statutes of North Carolina.
- (3) The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract amendment with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation thereof and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.
- (4) Each of the Supplemental Agreement, the Escrow Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
- (5) The Supplemental Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
- (6) The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.
- (7) The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the refinancing. Execution of the Agreement Amendment by the Chairman of the Board, the County Manager, the Director of Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.
- (8) All actions of the County effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
- (9) This Resolution shall become effective immediately upon its adoption.

Commissioner Ella B. Scarborough seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller,

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Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2336) VERTEX (THUNDERBIRD PREPARATORY ACADEMY) TEFRA HEARING

Motion was made by Commissioner Bill James, seconded by Commissioner George Dunlap and unanimously carried, with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the Vertex TEFRA public hearing.

WHEREAS, at 6:40 P.M., the Chairman announced that the Board of Commissioners (the "Board") would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the "Authority"), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$50,000,000 of its Charter School Revenue Bonds in one or more issuances and/or one or more series which may include both senior and subordinate bonds (the "Bonds");

WHEREAS, the Authority will loan the proceeds of the Bonds to Vertex NonProfit Organization, a Utah not-for-profit corporation (the "Borrower") and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code"), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority for the purpose of financing and refinancing, as applicable, the eligible costs of the acquisition, construction, reconstruction, renovation, equipping, and/or any other capital expenditures and related expenses, as applicable, of multiple charter school educational facilities, and to fund certain costs of issuance and capitalized interest in connection therewith, to include the charter school located at 17609 and 17615 Old Statesville Road, Cornelius, North Carolina 28031, with the applicable facility sometimes referred to as Thunderbird Preparatory Academy (the "Thunderbird Project") within Mecklenburg County;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Thunderbird Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing of the Thunderbird Project, and the issuance of the Bonds, a portion of which, in an amount not to exceed \$25,000,000, will be used for the Thunderbird Project, in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010, and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on February 3, 2015 a notice of public hearing was published in the *Mecklenburg Times*, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: Brandon Lofton with Robinson Bradshaw & Hinson, 101 North Tryon Street, Suite 1900, Charlotte, NC 28246 and Michael Babbitt, Chairman, Board of Directors, Thunderbird Preparatory Academy, 17609 Old Statesville Road, Cornelius, NC 28031 addressed questions of the Commissioners.

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

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WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to close the public hearing.

Commissioner George Dunlap introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$50,000,000 OF THE PUBLIC FINANCE AUTHORITY
CHARTER SCHOOL REVENUE BONDS TO FINANCE OR REFINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON
BEHALF OF VERTEX NON-PROFIT ORGANIZATION

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance and refinance multiple charter school facilities including the Thunderbird Project, *provided that* in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction for the Thunderbird Project, which is the governmental unit having jurisdiction over the area in which the Thunderbird Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Bill James seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller,
Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B.
Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

Note: Commissioner Leake requested a breakdown of the school's student population by race and gender.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(15-2377) MANAGER'S REPORT

County Manager Diorio noted the following under her Manager's Report:

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Keith Gregg was introduced as the new Chief Information Officer for Mecklenburg County.

(15-2376) LAKE NORMAN TERRITORIAL JURISDICTION

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to approve Joint Resolution Regarding Lake Norman Territorial Jurisdiction.

Note: The resolution would allow all law enforcement officers with territorial jurisdiction on any part of Lake Norman or its shoreline within the limits of their subject matter jurisdiction to have peace officer status in enforcing laws over all of Lake Norman and its shoreline area. This authority was not included in the original resolution that created the Lake Norman Marine Commission in 1970. The Lake Norman Marine Commission has approved this resolution and has requested that each member County do the same. This change is supported by, and has been requested by, the Charlotte-Mecklenburg Police Department and the Cornelius Police Department.

**JOINT RESOLUTION
REGARDING LAKE NORMAN TERRITORIAL JURISDICTION**

WHEREAS, pursuant to “An Act to Establish the Lake Norman Marine Commission” enacted as Chapter 1089 of the 1969 Session Laws (the “Act”), the counties of Catawba, Iredell, Lincoln and Mecklenburg adopted resolutions which created the Lake Norman Marine Commission; and

WHEREAS, the Lake Norman Marine Commission has operated continuously since its establishment; and

WHEREAS, Sec. 9 (a) of the Act reads as follows:

Sec. 9. Enforcement. (a) Where a joint resolution so provides, all law enforcement officers (or such officers as may be designated in the joint resolution) with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

WHEREAS, the Board of Commissioners of Mecklenburg County has determined that it would be in the best interest of the people of the counties of Catawba, Iredell, Lincoln and Mecklenburg for the territorial jurisdiction of all law enforcement officers having jurisdiction over any part of Lake Norman or its shoreline area to be expanded as authorized by Sec. 9 (a) of the Act; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County, as authorized by Sec. 9 (a) of Chapter 1089 of the 1969 Session Laws, that all law enforcement officers with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

BE IT FURTHER RESOLVED that a copy of this Joint Resolution be forwarded by the Clerk to the Board to the governing bodies of the other counties which have joined together to create the Lake Norman Marine Commission, and to the Executive Director of the North Carolina Wildlife Commission, as provided in Sec. 7 of the Act.

Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION (COMMISSIONER DUNLAP)

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The Board received a report from Habitat for Humanity Affiliate: Charlotte, Our Towns (Cornelius, Davidson, Huntersville), and Matthews regarding their activities in the community.

Habitat for Humanity Charlotte President & CEO Laura Belcher, Habitat for Humanity Matthews Executive Director Terrell Blackmon and Our Towns Habitat for Humanity Executive Director Jeff Porter gave the report. The following topics were covered: Economic Impact, Property Taxes and New Homeownership, Critical Home Repair and Restores, Housing Continuum, & Partnerships with Mecklenburg County Parks and Recreation and LUESA (Code Enforcement).

A copy of the report is on file with the Clerk to the Board.

Comments:

Chairman Fuller asked if Habitat homeowners remained in their homes permanently or transitioned out to other homes. *The response was both occurred.*

Commissioner Leake asked about the location of homes within the County and what's used to determine where homes were built, which was addressed. It was noted that the cost of land played a major role in the decision making.

Commissioner Leake asked about home design, which was addressed. It was noted that the design of homes today, blend in with the existing community.

Commissioner Dunlap suggested Habitat contact Charlotte-Mecklenburg Schools (CMS) regarding land that might be available for possible acquisition. Commissioner Dunlap said CMS had excess property around some school sites throughout the community.

Chairman Fuller thanked the presenters for the report.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2341) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for February 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

(15-2363) FEATURE PRESENTATION: EMERGENCY MEDICAL SERVICES (EMS) AGENCY

The Board received as information a report from Mecklenburg Emergency Medical Services (EMS) Agency.

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Joe Penner, Executive Director, MEDIC gave the report. The report addressed the history, governance and evolution of the Mecklenburg EMS Agency.

Reports are on file with the Clerk to the Board.

Comments:

Commissioner Clarke asked had the issue been resolved regarding the insurance carrier that refused to pay Medic directly for services rendered to their insured. *Note: The insurance carrier instead sends the check to their insured, who should then pay Medic, but often this doesn't occur.*

Director Penner said to date that process continues. He said he was not sure where lobbying efforts stood.

Commissioner Leake asked about the billing process, cost of transport, and the collection rate, which was addressed.

Chairman Fuller said the issue of EMS services was a topic of discussion for the NC Association of County Commissioners because it varied across the state.

Chairman Fuller asked Director Penner to comment on how charges for services rendered were derived at, which was addressed.

Commissioner Dunlap complimented Director Penner on EMS' response time.

Commissioner James asked for the name of the company that refuses to pay Mecklenburg EMS directly. *Chairman Fuller said it was Blue Cross Blue Shield.*

Public Affairs Officer Brian Francis said he felt the Mecklenburg Legislative Delegation had a "good grasp" on what the issue was with respect to Blue Cross Blue Shield. He noted that Blue Cross Blue Shield honored the assignment of benefits to Mecklenburg EMS for state employees but not their other insures. The desire is that Blue Cross Blue Shield treat all insured the same as it did state employees. Mr. Francis said he was optimistic with respect to this issue being addressed by the General Assembly.

Chairman Fuller said there was "no good reason" why Blue Cross Blue Shield should not pay Mecklenburg EMS directly.

Chairman Fuller thanked Director Penner for the report.

STAFF REPORTS & REQUESTS

(15-2331) LEGISLATIVE MATTERS -- STATE/FEDERAL LEGISLATIVE AGENDA UPDATE

The Board received as information an update on the North Carolina Association of County Commissioners legislative agenda and the proposed Mecklenburg County Federal Action Plan. Public Affairs Officer Brian Francis presented these matters.

A copy of the report is on file with the Clerk to the Board.

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North Carolina Association of County Commissioners Legislative Agenda Top Five

1. Support continued state funding of Medicaid and support efforts by the state to provide healthcare access for all citizens.
2. Seek legislation to restore the statutory requirement that 40% of the net lottery proceeds be allocated to counties for school capital needs and increase the annual appropriation of lottery funds until the 40% allocation is restored.
3. See legislation to repeal the statutory authority under N.C.G.S. 115C-431(c) that allows local school boards to file suit against a county board of commissioners over county appropriations for education.
4. Oppose any shift of state transportation responsibilities to counties.
5. Oppose unfunded mandates and shifts of state responsibilities to counties.

Comments:

Commissioner Dunlap asked was it lawful to establish a law that took away a body's right to vote to do something they could lawfully do. *Deputy County Attorney Wade said the General Assembly could establish such a law, which could be challenged through the courts.*

Commissioner Dunlap asked about funding from the state that had something to do with drug court. He said he couldn't recall the specific matter, but he would prefer the legislation be broader; so that if the County wanted to have veterans court or homeless court, funding could also come from that same pot of money.

Public Affairs Officer Francis said he would have to go back and determine what item Commissioner Dunlap was referring to.

Commissioner Ridenhour requested information on the County's 2014 (FY15) Federal Action Plan and the results of how successful the County was.

Commissioner Leake said she, too, would like to know how successful the County was with its state legislative agenda, as well as, federal.

Commissioner Leake requested information on the cost of the County's state and federal lobbyist and how long the County had used them.

MECKLENBURG COUNTY, NC 2015 (FY16) FEDERAL ACTION PLAN

Guiding Principles

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to urge the Mecklenburg County Congressional Delegation to follow these Guiding Principles:

Support legislation that grants counties greater flexibility
Support legislation that provides funding to counties
Oppose legislation that removes authority from counties
Oppose legislation that creates unfunded mandates or directly or indirectly shifts costs to counties

Ways to apply the Guiding Principles:

Job Creation and Economic Growth

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to maintain tax-exempt municipal bonds.

Note: \$38.9 million – estimated cost to Mecklenburg County if tax-exempt status were repealed (2012)

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 5-2 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James and Ridenhour voting no, to protect county revenues, including remote sales tax collection.

Veterans Services

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to secure federal funding that enhances coordinated networks of services, resources and care designed to best support veteran families.

Health and Human Services

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to

- Support funding for the Prevention and Public Health Fund
- Reauthorize the Older Americans Act and fund the Elder Justice Act
- Maintain funding levels in FY16 for the following:
 - Preventive Health Services Block Grant
 - Temporary Assistance for Needy Families / Social Services Block Grant (and no funding cuts to federally mandated services)
 - Ryan White Act
 - Women, Infants and Children
 - Children's Bureau (HHS-Administration for Children and Families)
 - Senior citizen programs for nutrition, housing and transportation

Environment and Natural Resources

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to

- Support additional funding for the Diesel Emissions Reduction Act
- Oppose efforts to eliminate Sec. 103 of the Clean Air Act
- Support reallocation of Sec. 105 of the Clean Air Act
- Reauthorize Land and Water Conservation Fund, support full and dedicated funding, and maximize funding for State Assistance Program

(15-2360) INFORMATION UPDATE ON CHANGES TO THE BREASTS & CERVICAL CANCER CONTROL PROGRAM

The Board received a verbal update on changes to the Breasts & Cervical Cancer Control Program (BCCCP).

Health Director Dr. Marcus Plescia gave the update with respect to challenges the Department had experienced in providing breast cancer screenings.

Highlights:

- Cancer is the number one cause of death in Mecklenburg County.
- Breast Cancer is the most common cause of cancer in women and the second most cause of cancer deaths in women in Mecklenburg County.
- It's estimated that in Mecklenburg County there were 24,000 women, age 40-65, that do not have access to breast cancer screening, because they do not have health insurance.
- Mecklenburg County does have some resources to provide this service, per a federal grant received through the state.
- The Health Department has been unable to reach the number of women, it had hoped to reach based on the screening benchmark.
- The main reason for not being able to meet the screening benchmark was because individuals aren't aware of the availability of the service. Better marketing and outreach was needed.
- Dr. Plescia said he was very concerned and interested in cancer control.
- Steps to mitigate the issue:
 - Work has been done over the last year to streamline the clinical delivery system from Carolinas Healthcare System back to the Health Department.
 - The clinical system is not as efficient as it should be, however, progress is being made.
 - The Department will be working with other agencies to get the word out about the availability of the service.
 - A grant was received from the Komen Foundation for outreach.
 - There will also be a media campaign.
 - There will be enhancements to the Department's website.
 - The Department is working with Charlotte Radiology with respect to their mobile units.
 - The Department is doing community based outreach.
- The State had planned to do a site visit regarding the program, but because of the inclement weather, it did not occur.
- It's anticipated that the State will cut back on the County's benchmark number, which would result in a loss of revenue and a decrease in the number of women that could be served.
- The County would have to demonstrate to the State that it can screen an increased number of women, which will take a while to do.
- The Board was invited to offer any ideas they may have regarding how to better market the program.

Comments:

Commissioner Leake addressed the need for the service and expressed her disappointment that funding would be lost due to someone's failure to market the program.

Commissioner Leake said she was willing to help get the word out and suggested the Health Department contact the faith community and sororities for assistance.

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Commissioner Dunlap pledged his support for helping to get the message out. He asked that he, as well as all members of the Board, be provided the appropriate information for dissemination.

Commissioner Scarborough asked was it known what other communities were doing to reach this population, which was addressed.

Commissioner Scarborough asked was Mecklenburg County numbers higher than other counties, which was addressed.

Commissioner Scarborough suggested the Health Department seek the assistance of sororities and fraternities.

Commissioner Ridenhour asked for clarity on the age range, which was addressed.

Commissioner Ridenhour concurred about the need to get the message out. He noted also there's a level of personal responsibility on the part of individuals, as well.

Commissioner Ridenhour suggested having the information available at other County departments, so when someone came in, it would be available to them. He also suggested working through the faith community to get the information out as well.

Commissioner Scarborough issued a challenge to fellow female Board members and all female elected officials in Mecklenburg County to reach out to help the Health Department get the information out regarding the availability of this service. She said "if each one, reach one, and bring one."

Chairman Fuller thanked Dr. Plescia for bringing this matter to the Board's attention. He said it was a critical issue of concern for females and males.

Commissioner James left the meeting and was absent for the remainder of the meeting.

(15-2370) CODE ENFORCEMENT UPDATE

The Board received an update on the ongoing efforts by the County to enhance Land Use & Environmental Services Agency (LUESA) - Code Enforcement's customer service and permitting and inspection process.

Assistant County Manager Leslie Johnson and LUESA Director Ebenezer Gujjarlapudi gave the report.

Note: Since February 2014, the County has been undertaking several action steps to address concerns expressed about the building permitting and inspection process. These steps include but are not limited to:

- 1. Establishing a City/County Task Team to Identify Opportunities for Improved Customer Experience*
- 2. Conducting an Independent Review of Current Process*
- 3. Assessing the Feasibility of Alternative Scheduling Options Based on Project Size*
- 4. Establishing a Customer Service Center*
- 5. Creating a Quality Control Process for Analyzing Inconsistencies in Interpreting Building Codes*
- 6. Redesigning Website*

A copy of the report is on file with the Clerk to the Board.

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Comments:

Commissioner Ridenhour asked about the following, all of which were addressed:

- Lines of communication between County staff and customers
- Lines of communication between County staff and the Building Development Commission
- Composition of the Building Development Commission
- Responses to new website
- Possibility of issuing a monthly newsletter
- The POSSE System (Publish (on your) Own Site, Syndicate Elsewhere) an enterprise e-Government Software by Computronix and the EPS System (Electronic Plan Submittal)
- Pilot program and the status of the programs within the pilot

Commissioner Ridenhour shared feedback he'd received from folks in the industry, questioning whether there had been any real improvements in the Code Enforcement process.

Commissioner Ridenhour said it's possible the progress that was being made was not being communicated to customers.

Commissioner Clarke acknowledged that County staff was responsible when it came to communicating and disseminating information, but that the customer also had to take some personal responsibility to inquire and access what's been made available.

Commissioner Clarke requested the names and positions of persons serving on the City/County Task Team and the entities they represented.

Commissioner Clarke asked was the issuance of permits seasonal, which was addressed.

Commissioner Clarke suggested consideration be given to hiring people that were very bright and talented, but may not have all of the credentials and train them in-house.

Commissioner Clarke asked what the plan was for the Board's receipt of the final recommendations. *County Manager Diorio addressed the process that would be followed.*

Commissioner Dunlap suggested the County have its own training process in order to get individuals trained in the manner that's needed, since the County was having difficulty getting positions filled.

Commissioner Dunlap recommended the County Manager and staff move forward with implementing some of the recommendations that would hopefully address some of the concerns being received and not wait on Board approval. He noted as an example: the mandatory meeting for people who request permits, the purpose of which was to walk persons through the process.

County Manager Diorio said staff was moving forward with implementing certain changes. She said the matters that would be brought to the Board for action would be policy type matters.

Director Gujjarlapudi thanked Board members for their input.

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(15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to:

- Recognize and appropriate \$110,000 in additional permit revenue; and
- Approve adding 4 positions to Customer Service Center Group; and
- Recognize and appropriate \$650,000 from Code Enforcement General Fund Balance for Technology and Construction cost related to Customer Service Center Group; and
- Authorize transfer of \$450,000 from the General Fund to the Technology Fund for Code Enforcement.

Note: The appropriation of \$760,000 from Mecklenburg County Code Enforcement consists of a combination of \$110,000 from FY 15 permit fees and \$650,000 from fund balance designated for Code Enforcement. After three months, department permit revenue is running 15% above projections. The increase in permit revenue will support creating four "Concierge" positions within the newly development Customer Service Center services stream. The transfer from fund balance will provide upgrades and purchasing of new technology within the Customer Service Center along with additional renovation cost for housing this team. The Customer Service Center is designed to close the gap between those customers who are well-schooled in Mecklenburg County Code Enforcement's process (adept at using high tech permitting and inspecting processes) and those who are either new at it or infrequent users.

(15-2375) FEDERAL REVIEW OF YOUTH & FAMILY SERVICES COUNTY COMMISSIONERS REPORTS & REQUESTS

The Board received an update on the upcoming Federal Review of Youth & Family Services for the state of N.C., which would include Mecklenburg County. Youth and Family Services Director Charles Bradley gave the report.

Director Bradley said the Federal Government would be conducting a statewide review of child welfare practices, utilizing cases from across the state.

Highlights:

- The Child and Family Services Review (also known as the CFSR) is a process whereby the Administration of Children and Families (ACF), in partnership with the States, monitors and evaluates the full range of child and family services, including child protective services, family preservation and support, foster care, independent living and adoption services.
- The Child and Family Services Review is authorized by the Social Security Amendments of 1994 and is a periodic review of all states to measure conformity with child welfare requirements using seven outcomes and seven systemic factors.
- Through this review process, the federal government is able to assess the outcomes for children and families involved in child welfare services, as well as help states achieve positive outcomes for children.

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- The CFSR measures conformity with federal child welfare requirements using a framework focused on safety, permanency, and well-being.
- To date, there have been two prior rounds of State Reviews.
- Round 1 of the Child and Family Services Review for North Carolina occurred in March of 2001.
- The results of Round 1 showed none of the states, including North Carolina were found to be in Substantial Conformity.
- All states, including North Carolina entered into Program Improvement.
- Round 2 for North Carolina occurred in March of 2007. While North Carolina was found to be in Substantial Conformity with Well-Being 2, which assesses capacity to assess and address a child's educational needs.
- The results of Round 2 also showed none of the states, including North Carolina were found to be in Substantial Conformity in all seven outcomes.
- All states, including North Carolina entered into Program Improvement.
- Round 3 of the Child and Family Services Review for North Carolina will begin in April 2015 and is expected to be completed in September 2015.
- In order to be found in Substantial Conformity with the seven outcomes, 96% of all cases scored across the State will have achieve this rating.
- According to current data, the State Division anticipates the State of North Carolina will enter Program Improvement at the end of Round 3.
- Mecklenburg County is participating in this review of the State of North Carolina along with 9 other North Carolina Counties and the Eastern Band of Cherokee Indians.
- The other counties participating in this review are: Wake; Buncombe; Craven; Cumberland; Durham; Hoke; Pitt; Scotland; and Wilson. The review of the Eastern Band of the Cherokee Indians includes a review of Swain; Jackson; and Haywood counties.
- North Carolina will have a total of 120 cases reviewed, to include 27 cases for Mecklenburg County.

Comments:

Chairman Fuller asked would the County receive a written report from the Federal Government. *The response was yes. The report will be for the State of N.C. and the results for Mecklenburg County would be included.*

Chairman Fuller asked was the review of the State, or specifically, Mecklenburg County. *The response was that it was a statewide review.*

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Chairman Fuller suggested that perhaps the standards weren't properly set or that there weren't enough resources to meet the standards, if previous reviews were such that no one met the standards.

Commissioner Dunlap asked was the pass and/or failure rate for N.C. contingent upon the pass or failure rate of all of the counties involved in the review. *The response was yes.*

Commissioner Dunlap asked what if Mecklenburg County passed, but the state as a whole didn't pass, what were the consequences, if any, for Mecklenburg County. *Director Bradley said it was his understanding there might be a penalty to the State of N.C. and those penalties would be distributed to counties based on the number of clients served.*

Commissioner Dunlap said that was not a good system for handling the payment of the state penalty.

Commissioner Leake asked when the final report would be received. *Director Bradley said he would anticipate it being received by the end of 2015.*

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2303) PROCLAMATION -- GREAT AMERICAN CLEAN UP FOR KEEP MECKLENBURG BEAUTIFUL

Adopt a Proclamation designating March 1 through May 31 in Mecklenburg County as the "Great American Clean Up".

A copy of the proclamation is on file with the Clerk to the Board.

(15-2330) SURVEYING SERVICES FOR UPDATING FLOODPLAIN BUILDING ELEVATION DATA

Authorize the County Manager to negotiate fees up to \$265,000 and execute contracts with ESP Associates, P.A. to collect survey information on homes in the FEMA floodplain.

(15-2332) GENERAL OBLIGATION BONDS RESOLUTION

RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Vilma D. Leake moved adoption of the following resolution and the motion was seconded by Commissioner Ella B. Scarborough.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

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1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$75,000,000. (The Issuer has secured an extension of the maximum period of time for issuing bonds under that bond order from seven to ten years from November 6, 2007 as provided for under Section 159-64 of the North Carolina General Statutes.) The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from March 17, 2015.

2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of \$25,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from March 17, 2015.

3. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of \$100,000,000 and designated "General Obligation School Bonds, Series 2015A" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated March 17, 2015, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on October 1, 2015, and semi-annually thereafter on April 1 and October 1. The Bonds shall mature annually on April 1, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$5,000,000	2026	\$5,000,000
2017	5,000,000	2027	5,000,000
2018	5,000,000	2028	5,000,000
2019	5,000,000	2029	5,000,000
2020	5,000,000	2030	5,000,000
2021	5,000,000	2031	5,000,000
2022	5,000,000	2032	5,000,000
2023	5,000,000	2033	5,000,000
2024	5,000,000	2034	5,000,000
2025	5,000,000	2035	5,000,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on April 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

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In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION SCHOOL BOND, SERIES 2015A

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
		March 17, 2015	584002

REGISTERED OWNER: CEDE & CO.

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PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a April 1 or October 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on October 1, 2015, and semi-annually thereafter on April 1 or October 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 5, 2007 and September 3, 2013 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after April 1, 2026, shall be subject to redemption prior to their stated maturities at the option of the County on or after April 1, 2025, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants

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pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated March 17, 2015.

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

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CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary,
Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: March 17, 2015

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with
the name as it appears upon the face of the within Bond in every
particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

7. The Bonds maturing on and after April 1, 2026 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after April 1, 2025, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by

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this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

9. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

10. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

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(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

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The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Note: Commissioner Bill James was present at the meeting but absent at the time of the above vote.

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2338) ARCHITECT/ENGINEER SELECTION FOR HISTORIC HOLLY BEND HOUSE REHABILITATION

Adopt Resolution Approving Architecture Firm For Historic Holly Bend House Rehabilitation, Edwin Bouldin Architect, PA for Architectural/Engineering Services, and authorizing the County Manager to negotiate a fee and

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execute a contract with Edwin Bouldin Architect, PA, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second-ranked firm, Hager-Smith Design, PA.

Resolution recorded in full in minute book _____, Document # _____.

(15-2339) SOLE SOURCE VENDOR APPROVAL -- LUESA (WATER QUALITY MONITORING EQUIPMENT)

Approve the purchase of water quality monitoring equipment and services as authorized by the sole source exemption of G.S. 143-129(e) (6); and

Approve a contract with the Sutron Corporation for the purchase of water quality monitoring equipment and services in the amount of \$75,538.

(15-2343) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from David M., Dianne L., and Charles D. Wright, owners of property at 5209 Kildare Drive (Tax Parcel 099-082-02) for \$95,000; and

Accept the Offer of Sale of Real Estate from Donnie and Josephine Hoover, owners of property at 4108 Crestridge Drive (Tax Parcel 145-212-11) for \$77,000; and

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: The acquisitions are being made as a part of the Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing structures with Storm Water Services capital funds.

(15-2348) LAND DONATION -- NEWELL COMMUNITY PARK

Authorize the County Manager to negotiate and execute all documents necessary for the donation of tax parcel 049-271-28 (± 1.824 acres) from Belle Haven Apartments, LLC as an addition to Newell Community Park.

(15-2349) BUDGET AMENDMENT -- PARK AND RECREATION (REVENUE AND EXPENSE INCREASE)

Recognize and appropriate \$200,000 in Mecklenburg County Aquatic Center revenues for related operating expenditures to be incurred in the delivery of those services.

(15-2350) EASEMENT DONATION -- LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a permanent easement (±6,029 square feet) on tax parcel 175-121-01 from Horizon Development Properties, Inc. for the future

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construction of Little Sugar Creek Greenway trail and the reimbursement of legal expenses to Horizon Development Properties, Inc. not to exceed \$1,000.

(15-2351) LAND DONATION -- STEVEN'S CREEK NATURE PRESERVE

Authorize the County Manager to negotiate and execute all documents necessary for the donation of tax parcel 195-231-07 (±0.78 acres) from North Carolina Department of Transportation (NCDOT) to become part of Steven's Creek Nature Preserve.

(15-2352) CAPITAL RESERVE REQUEST -- PARK AND RECREATION ATHLETIC FIELDS

Appropriate expenditure of up to \$9,000 from the Athletic Field Capital Reserve account to install a chain link fence near field #7 at Mallard Creek Park.

(15-2353) EASEMENT CONVEYANCE -- TT OF STALLINGS, INC. AND TT OF HARRIS, LLC

Grant a permanent sanitary sewer easement (±0.0377 acres) and temporary construction easement (±0.0736 acres) to TT of Stallings, Inc. and TT of Harris, LLC on County tax parcel 165-151-23 (Campbell Creek Greenway) for \$1,600.

Note: TT of Stallings, Inc. and TT of Harris, LLC is constructing a new automobile dealership building on Independence Boulevard in east Charlotte. In order to provide sewer service to the new building, the developer is requesting temporary and permanent easements from the County across tax parcel 165-151-23.

(15-2354) TAX REFUNDS

Approve refunds in the amount of \$8,221.48 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$42,761.66 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2356) RIGHT-OF-WAY ABANDONMENT -- SOUTHWEST COMMUNITY PARK

Authorize the County Manager to file a Right-of-Way Abandonment petition with the Charlotte Department of Transportation requesting closure of a portion of Holabird Lane (+/- 7,950 SF) and acceptance of the closed right-of-way into adjacent County owned property at Southwest Community Park.

Note: Holabird Lane sits in the southeast corner of the park property. A portion of the existing Holabird Lane right-of-way extends into the area of the park property where one of the two baseball fields is proposed to be built. To

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build the baseball field as designed, a 7,950 SF portion of Holabird Lane will need to be abandoned and incorporated into the park property.

(15-2361) CAPITAL RESERVE REQUEST -- PARK AND RECREATION GOLF COURSES

Appropriate expenditure of up to \$43,000 from the Consolidated Golf Capital Reserve Account for turf and cart path repairs at Renaissance Park Golf Course; and

Appropriate expenditure of up to \$5,000 from the Consolidated Golf Capital Reserve Account to install two standard Park and Recreation signs at the Cadillac Street Driving Range.

(15-2372) MINUTES

Approve Minutes of Regular meeting held February 3, 2015.

(15-2405) SET PUBLIC HEARING – SOUTH I-77 SERVICE ROAD NAME CHANGE

Set a public hearing on March 17, 2015 at 6:30 pm for the request to change the name of South I-77 Service Road to Chartown Drive.

Note: This road was originally part of NC Hwy 21. It was cut off by the construction of I-77 and never renamed. It currently is referred to as I-77 Service Road. The area is now being developed for commercial uses which will require a proper street name for emergency response

(15-2406) SET PUBLIC HEARING – POPLAR TENT CHURCH ROAD NAME CHANGE

Set a public hearing on March 17, 2015 at 6:30 pm for the request to change the name of existing Poplar Tent Church Road to Poplar Tent Road.

Note: Portions of this road are in Mecklenburg County, and portions are in Cabarrus County. The Mecklenburg County portions are named Poplar Tent Church Road, and the majority of the road in Cabarrus County is named Poplar Tent Road. Changing the name along the Mecklenburg County portion to Poplar Tent Road would keep the name consistent along the whole stretch of road and prevent possible confusion, particularly for emergency response providers.

(15-2407) SET PUBLIC HEARING – ALEXANDERANA ROAD NAME CHANGE

Set a public hearing for March 17, 2015 at 6:30 pm. to request changing the name of existing Alexanderana Road to Alexandriana Road.

Note: The Olde Huntersville Historical Society and some property owners along Alexanderana Road are petitioning to rename this street to Alexandriana Road. According to historic records Alexandriana is the correct spelling. Correcting the spelling would restore the historic name of the road.

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THIS CONCLUDED ITEMS APPROVED BY CONSENT

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve the following items:

Commissioner Leake removed these items from Consent for more public awareness.

(15-2321) SOLE SOURCE VENDOR APPROVAL -- CHILD SUPPORT ENFORCEMENT (TURBOCOURT SOFTWARE)

Approve the purchase of TurboCourt Software and services, allowing customers to submit applications remotely, as authorized by the sole source exemption of G.S. 143-129(e)(6), at a total cost of \$219,561.10.

Note: This will be used by Child Support Enforcement.

(15-2334) GRANT APPLICATION -- FY15 CLEAN AIR ACT, SECTION 103,

Approve the submission of the County's FY15 Clean Air Act Section 103, Special Purpose federal grant application in the amount of \$185,834; and upon award of grant, recognize, receive and appropriate the CAA Section 103 grant award; and authorize the carry forward of any unspent funds to subsequent years.

(15-2337) GRANT APPLICATIONS -- SMART START OF MECKLENBURG COUNTY

Approve submitting two grant applications totaling \$900,000 per year for a three year period (July 1, 2015 - June 30, 2018) to Mecklenburg Partnership for Children of Mecklenburg County to support programs promoting child health and safety; and if awarded, recognize, receive and appropriate awarded funds.

(15-2346) HIGHLAND CREEK ELEMENTARY SCHOOL AND PALISADES ELEMENTARY SCHOOL JOINT USE AGREEMENTS

To receive an update on and approve Joint Use Agreements with Charlotte-Mecklenburg Schools for the Highland Creek Relief Elementary School and Palisades Elementary School & Park Site.

Agreement recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2347) SOLE SOURCE VENDOR APPROVAL -- 2015 COURTROOM UPFIT MATERIAL SELECTION

To authorize the County to purchase millwork from Ebenisterie Beaubois LTEE as a sole source purchase, and to specify and/or purchase other materials from certain manufacturers as listed in the Background and noted below, to finish two shelled Courtrooms at the New Courthouse as authorized by G.S. 143-129 (e)(6)(iii).

Note: In order to achieve the goals of standardization and compatibility for the Courthouse, some products should be specified as the original brand, or obtained from the original source. Those are:

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1. *Millwork for public seating, wall panels, and judge benches, which were supplied and installed by Ebenisterie Beaubois, and which uses exclusive wood profiles*
2. *Suspended Ceiling, specified originally as Armstrong Ultima 1911 24x24, mounted on a suspension system, Armstrong Superfine XL*
3. *Floor Carpet: Tandus carpet tiles, specially manufactured by Collins and Aikman for the New Courthouse*
4. *Wall base: specified originally as Johnsonite 4" Straight, color G8*
5. *Acoustical Wall System: Wall Technology, Metro Rebound, color Crosswalk*
6. *Signage to match existing: ASI Modulex North Carolina*

(15-2357) CREATION OF DOCTORAL-LEVEL PSYCHOLOGY INTERN POSITION (CRIMINAL JUSTICE SERVICES)

Approve the creation of a full-time Psychology Intern position within Criminal Justice Services and the Forensic Evaluations Unit.

(15-2368) COMPENSATION APPROVAL REQUEST PER GS 18B-700 – ABC BOARD CEO

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve change in compensation for Alcoholic Beverage Control (ABC) Board CEO, Paul Stroup as requested by the ABC Board and as required by G.S. 18B-700.(g1).

Note: The Mecklenburg County ABC Board approved a 3% increase in compensation for its general manager, Paul A. Stroup, III, CEO. As the appointing authority of the local ABC Board and Per G.S. 18B-700. (g1) Compensation of General Managers of Local Boards, the BOCC must approve any change in compensation under certain circumstances. G. S. 18B-700.(g1) reads: The salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority. The local board shall provide the appointing authority's written confirmation of such approval to the Commission. Any change in compensation approved by the appointing authority shall be reported to the Commission in writing within 30 days of the effective date of the change. The general manager of a local board may receive any other benefits to which all employees of the local board are entitled. The salary authorized for other employees of a local board may not exceed that of the general manager.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. County Manager Diorio addressed this matter.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:26 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

MARCH 3, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 3, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, George Dunlap, Bill James,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Patricia "Pat" Cotham

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2390, 15-2392, 15-2393, 15-2394, 15-2402, and 15-2415, to be removed from consent and voted upon separately.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 15-2393 Proclamation – Colorectal Cancer Awareness Month up on the agenda.

STAFF BRIEFINGS - NONE

(15-2384, 15-2389) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel Number: 197-221-03 in Mint Hill and Tax Parcels 115-091-01, 115-091-02 and 115-091-04 on Wilkinson Blvd.

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Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:25 p.m. and came back into Open Session at 6:00 p.m.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 6:00 p.m. and came back into Open Session at 6:05 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Commissioner Clarke was away from the dais when this portion of the meeting was called to order and until noted in the minutes.

AWARDS/RECOGNITION - NONE

(15-2387) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Wanda Brown addressed her son's need for Special Transportation, so that he could continue to attend a day program. She noted that her son was 22 years old and autistic.

Chairman Fuller said he would have someone from staff follow up with Ms. Brown.

APPOINTMENTS

(15-2369) TOWN OF HUNTERSVILLE PLANNING BOARD ETJ APPOINTMENT REMOVAL REQUEST

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 7-0 with Commissioners Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Town of Huntersville's request for the removal of ETJ Huntersville Planning Board member, Art Van Wingerden, for failing to meet the Planning Board attendance requirement.

(15-2401) APPOINTMENTS

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AIR QUALITY COMMISSION

The vote was taken on the following nominees for appointment to the Air Quality Commission:

Round One

John Arbogast	None
Jeff Baker	Commissioners Dunlap, James, and Puckett
Ted Hogan	None
Chad Mitchell	None
DeAndrea Newman	Commissioners Fuller, Leake, Ridenhour, and Scarborough

Round Two

John Arbogast	None
Jeff Baker	None
Ted Hogan	None
Chad Mitchell	None
DeAndrea Newman	Commissioners Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Chairman Fuller announced the appointment of DeAndrea Newman to the Air Quality Commission as a General Public representative to fill an unexpired term expiring August 31, 2015.

She replaces Robert Statnick, who failed to meet the attendance requirement for 2014.

Commissioner Clarke entered the meeting.

BOARD OF EQUALIZATION AND REVIEW

The vote was taken on the following nominee for appointment to the Board of Equalization and Review:

William Hawkins	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough
-----------------	--

Chairman Fuller announced the appointment of William Hawkins to the Board of Equalization and Review for a three-year term expiring April 16, 2018 effective April 17, 2015.

He replaces Jeffrey Turnbull, who declined reappointment consideration.

Note: Lebyron Corbett was nominated at the February 3, 2015 meeting, but could not be reached for an interview.

Note: Jack Morgan was also nominated at the February 3, 2015 meeting, but was found to be ineligible during the interview process due to the residency requirement.

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BUILDING DEVELOPMENT COMMISSION

The vote was taken on the following nominees for appointment to the Building Development Commission:

John Price	None
Wanda Towler	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chairman Fuller announced the appointment of Wanda Towler to the Building Development Commission as a General Public representative to fill an unexpired term expiring July 31, 2016.

She replaces Kevin Silva, who failed to meet the attendance requirement for 2014.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

(15-2393) PROCLAMATION -- COLORECTAL CANCER AWARENESS MONTH

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation designating March 1 - March 31 in Mecklenburg County as Colorectal Cancer Awareness Month.

Health Director Dr. Marcus Plescia addressed the proclamation.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2412) MANAGER'S REPORT (SEE ITEM 15-2416)

(15-2416) NEW ITEM: ABOVE & BEYOND @ WORK AWARD WINNER

County Manager Diorio recognized the most recent Above & Beyond @ Work Award Winner, Park and Recreation Division Director Terri Stowers. Ms. Stowers has been with the County for 17 years.

Two of her many accomplishments were noted: 1) the creation and development of the merger plan that brought the senior centers into Mecklenburg County Park and Recreation and 2) her involvement with the launching of the new Park and Recreation on-line reservation software.

Note: County Manager Dena R. Diorio created the Above & Beyond @ Work Award to recognize Mecklenburg County employees who exemplify the core values of a great employee and have gone above and beyond what is required of his/her job.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

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STAFF REPORTS & REQUESTS

(15-2421) NEW ITEM: BUSINESS INVESTMENT PROGRAM GRANT: FRITO-LAY, INC.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 5-3 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to adopt Resolution approving a Business Investment Program grant to Frito-Lay, Inc. for a maximum amount of \$2,109,522 and authorize the County Manager to negotiate and execute a contract.

Note: Frito-Lay is a snack food division of PepsiCo Inc. and is headquartered in Plano, Texas. Frito-Lay produces, markets, sells, and distributes branded snack foods and operates 34 production plants in the United States. The company is the largest global producer of snack foods with \$14.1 billion in 2013 sales. Frito-Lay operates facilities in Southwest Charlotte currently employing 563 full time employees with an average salary of \$50,000 per year plus benefits. The company has conditionally selected the Charlotte site for expansion, contingent upon approval of a Business Investment Program grant. Frito-Lay plans to transform the 38-year-old facilities into a "mega-facility," collocating a manufacturing operation with on-site distribution, using high-technology equipment. In addition, the company proposes to invest to replace the equipment that handles finished goods within the plant with new equipment that is more efficient. The proposed project will include the following:

- Total capital investment of \$74 million*
- 30-35 net new jobs by 2018*
- \$50,000 average annual salary (current regional wage rate \$46,820)*
- The company will use reasonable efforts to hire locally.*

A five-year 90% Business Investment Program grant has an estimated value of approximately \$2,109,522 for the County (Total City/County portion is estimated to be approximately \$3,321,651 over five years).

The general terms and condition of this grant include:

- A portion of the grant must be repaid if the company moves this investment from Charlotte within five years of the end of the grant term.*
- Actual grant payments are based on the value of the investment as appraised by the Mecklenburg County Tax Office.*
- All property taxes due from the company must be paid before a grant payment is made.*

Note: Prior to the above vote, Commissioners Puckett, James and Ridenhour expressed their opposition to the approval of a Business Investment Program grant to Frito-Lay.

Commissioner James asked that it be noted in the record that when this matter was originally brought before the Board in Closed Session, the request was denied. Commissioner James said the matter was placed on a subsequent Closed Session agenda by Chairman Fuller for reconsideration, after being contacted by the company, and was then approved. Commissioner James said what occurred in this instance was not the norm.

Chairman Fuller said this was a matter of economic development for the community.

Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

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(15-2384) CLOSED SESSION – LAND ACQUISITION – FUTURE REGIONAL PARK IN THE TOWN OF MINT HILL

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 197-221-03 (+/- 140.27 acres) in the Town of Mint Hill's Extra-territorial jurisdiction for a future regional park from the Trust for Public Land for a purchase price of \$3,500,000.

(15-2384) CLOSED SESSION – LAND ACQUISITION – RELOCATION OF MEDIC

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) authorize the County Manager to negotiate and execute all documents necessary for acquisition of the following tax parcels:
 - Tax Parcel 115-091-01 located at 4301 Wilkinson Blvd from BCP Wilkinson, LLC for the purchase price of \$2,700,000
 - Tax Parcel 115-091-02 located at 4403 Wilkinson Blvd from Louis G. & Judith K. Raymond for the purchase price of \$1,400,000
 - Tax Parcel 115-091-04 located at 4401 Wilkinson Blvd, PID 115-091-04, from ES&W, LLC, for the purchase price of \$640,000

for a total of +/- 13.96 acres to be used as the future home for MEDIC, the Mecklenburg Emergency Medical Service;

- 2) adopt the FY2016 Authorization Government Facilities Capital Project Ordinance in the amount of \$31,000,000 to provide the funds necessary to acquire, design, and renovate the properties for use by MEDIC.

Ordinance recorded in full in Minute/Ordinance Book ____ Document # ____.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2345) CONSTRUCTION MANAGEMENT @ RISK CONTRACTING METHODOLOGY FOR COUNTY PROJECTS

Authorize the use of Construction Management @ Risk (CM @ Risk) contract methodology for the following Capital Improvement Projects as the best delivery method for each project:

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- Land Use and Environmental Services Agency (LUESA) Relocation and Valerie C. Woodard Center Renovations; and
- MEDIC - Mecklenburg EMS Agency Headquarters and Operations Relocation.

(15-2380) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Reginald Douglas, owner of property at 1233 Spruce Street (Tax Parcel 119-042-16) for \$122,000.
2. Accept the Offer of Sale of Real Estate from Almaur Properties, LLC, owner of property at 1237 Spruce Street (Tax Parcel 119-042-17) for \$112,000.
3. Accept the Offer of Sale of Real Estate from Javier Venegas Quiroz & wife Lucia Martinez Venegas, owners of property at 620 Dewolf Street (Tax Parcel 065-141-04) for \$55,000.
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the Spruce Street structure for training exercises.

Note: Acquisitions are being made through the Hazard Mitigation program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing structures with Storm Water Services capital funds.

(15-2383) APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to designate Mary Jo Gollnitz as a Review Officer and to delete Jim King.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2385) LEASE AMENDMENT -- RAMSEY CREEK COMMUNITY PARK

Authorize the County Manager to negotiate and execute a lease amendment with Duke Energy Carolinas, LLC to add property (±0.5428 acres) to the current lease agreement at Ramsey Creek Community Park for the construction of a swim beach.

(15-2386) EASEMENT DONATION -- LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a temporary construction easement (±1.162 acres) and a permanent greenway easement (maximum 30 feet wide) on tax parcel 173-07C-98 from Bennington Woods Condominiums for the future construction of Little Sugar Creek Greenway trail.

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(15-2388) MINUTES - ITEM WAS REMOVED FROM THE AGENDA

(15-2391) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$5,000 for Park and Recreation, \$8,869 for Asset and Facility Management and \$1,310 for Information Technology.

Note: All reimbursements are for stolen and damaged items.

(15-2395) GRANT APPLICATION -- FOUNDATION FOR THE CAROLINAS/MECKLENBURG COMMUNITY FOUNDATION OPPORTUNITY FUND (PARK & RECREATION)

Approve a \$15,000 grant application to the Foundation For The Carolinas/Mecklenburg Community Foundation Opportunity Fund to partially fund a study of the unmet needs of senior citizens; and if awarded, recognize, receive and appropriate such funds.

(15-2397) GRANT APPLICATION -- NRPA/ESPN ACCESS TO SPORTS PROGRAM GRANT (PARK & RECREATION)

Approve a \$15,000 grant application for a National Recreation and Park Association (NRPA)/ESPN Access to Sports program grant; and if awarded, recognize, receive and appropriate such funds

Note: Mecklenburg County Park and Recreation Department requests approval to apply for a NRPA/ESPN Access to Sports program that awards grants to local park and recreation departments to improve and expand youth sports programs, especially in underserved communities.

(15-2399) BRYTON PROJECT

Adopt Resolution entitled: RESOLUTION AUTHORIZING EXCHANGE OF COLLATERAL BETWEEN BRYTON PROJECT DEVELOPERS.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING EXCHANGE OF COLLATERAL
BETWEEN BRYTON PROJECT DEVELOPERS**

WHEREAS, in 2007, Mecklenburg County ("County") agreed to finance public improvements relating to land owned by three entities (Bryton Town Center Limited Partnership, now Bryton TC #1; Bryton Corporate Center Limited Partnership, now Bryton TC #2 (collectively the "**AAC Companies**"); and Bryton Investments, LLC, that these entities planned to develop in southern Huntersville, called the Bryton Project; and

WHEREAS, these three entities agreed by separate Agreements with the County that should the increased property taxes resulting from their respective developments not be sufficient to pay the debt service on the County financing, that they would make additional payments to cover the shortfall in taxes ("Shortfall COPS Payments"); and

WHEREAS, in 2008 the County issued Certificates of Participation ("COPS") to fund the public improvements for the Bryton Project; and

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WHEREAS, in 2013 Bryton Investments, LLC deeded its property in the Bryton Project, as well as undeveloped adjacent single family residential property, to Development Solutions BRY, LLC ("Solutions"), and as a result, Solutions ownership became subject to the Agreement entered into by Bryton Investments, LLC; and

WHEREAS, the Agreements with the AAC Companies and Solutions required that these companies provide the County with deeds of trust on their properties in the Bryton Project to help secure their obligations to make Shortfall COPS Payments, and all three of these companies have now provided deeds of trust to the County which have been recorded in the Mecklenburg Public Registry; and

WHEREAS, Bryton TC#1 and Solutions have identified five (5) small parcels in the Bryton Project area on which the County has deeds of trust (three owned by Bryton TC#1 and two owned by Solutions, as identified on Exhibit A and shown on Exhibit B) which would have more development value if exchanged; and

WHEREAS, County staff has determined that since these five (5) parcels would still be subject to deeds of trust to the County if exchanged, and since the exchange of these parcels would allow them to be combined with larger parcels and therefore enhance their value, it would be appropriate for the County to consent to the exchange; now, therefore be it

RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager is authorized to negotiate, execute and implement all agreements necessary to accomplish the exchange of collateral described above for Development Solutions BRY, LLC, and any successors in interest, and for the Bryton TC#1, and any successors in interest, if the County Manager and the Director of Finance approve agreements that require that the parcels will remain under deeds of trust to the County until released in accordance with the recorded Agreements with Bryton TC#1 and to Development Solutions BRY, LLC.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2400) CONSTRUCTION MANAGER @ RISK SELECTION (MECKLENBURG COUNTY AQUATIC CENTER RENOVATION)

Authorize the County Manager to negotiate a fee and execute contracts with Balfour Beatty Construction for Pre-Construction and Construction Management @ Risk services for the Mecklenburg County Aquatics Center Renovations and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Ajax/Edison Foard.

(15-2403) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

Receive a report provided by Pearson's Appraisal Services summarizing the changes in value resulting from recent neighborhood reviews; and

Adopt Mecklenburg County Board of Commissioners March 2015 Resolution Changing Abstracts and Authorizing Refunds and Taxes in Accordance with Session Law 2013-362 approving the value changes and any resulting refunds, releases or discoveries.

A copy of the report is on file with the Clerk to the Board.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2410) ARCHITECT/ENGINEER SELECTION (MEDIC HEADQUARTERS RELOCATION)

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Authorize the County Manager to negotiate a fee and execute a contract with ADW Architects, for Architectural/Engineering Services for the MEDIC Headquarters Relocation and in the event negotiations with this firm are unsuccessful, approve negotiations with the second-ranked firm, Stewart Cooper Newell.

(15-2411) ARCHITECT/ENGINEER SELECTION (LAND USE & ENVIRONMENTAL SERVICES (LUESA) AGENCY)

Authorize the County Manager to negotiate a fee and execute a contract with Gensler for Architectural/Engineering Services for the Land Use and Environmental Services Agency Relocation (LUESA) and in the event negotiations with this firm are unsuccessful, approve negotiations with the second-ranked firm, C-Design.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2390) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

1. Recognize, receive and appropriate a net increase in revenue in the amount of \$765,565 from state, federal, fees and charges; and
2. Approve the creation of two Senior Social Worker positions and two Nurse Case Manager positions for the Pregnancy Care Management program and one Senior Social Worker position and one Nurse Case Manager position for the Care Coordination for Children program.

Note: This is a Health Department Budget Amendment.

Commissioner Leake removed this item from Consent for more public awareness. Health Director Dr. Marcus Plescia addressed this item.

(15-2392) AGREEMENTS -- TOWN OF PINEVILLE AND CHARLOTTE-MECKLENBURG BOARD OF EDUCATION REGARDING PINEVILLE ELEMENTARY SCHOOL

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

- 1) Approve the agreements with the Town of Pineville and Charlotte-Mecklenburg Board of Education; and
- 2) Recognize and appropriate \$300,000 from Pineville towards the construction of a youth baseball field and two tee ball fields; and
- 3) Adopt the Ball fields at Pineville - 2015 Capital Project Ordinance.

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Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this item.

Agreements and Ordinance recorded in full in Minute/Ordinance Book _____ Documents # _____, _____ and _____.

(15-2394) GRANT APPLICATION -- UNITED WAY OF CENTRAL CAROLINAS SENIOR CITIZEN PROGRAMS (PARK & RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a \$150,000 grant application to United Way of Central Carolinas; and If awarded, recognize, receive and appropriate such funds for the grant period.

Note: Grant would be used for Senior Citizen Programs.

Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this item.

(15-2402) SUBCONTRACTOR PREQUALIFICATION CONSTRUCTION MANAGER @ RISK (JAIL INTEGRATED SECURITY IMPROVEMENTS)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the first-tier Subcontractor Prequalification procedure provided by Turner Construction for the Integrated Security Upgrades Project at the Mecklenburg County Jail Facilities.

Commissioner Leake removed this item from Consent for more public awareness. Asset and Facility Management Director Mark Hahn addressed this item.

(15-2415) TIMBER RIDGE APARTMENTS RESOLUTION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution of the Mecklenburg County Board of Commissioners Consenting to the Transfer of Timber Ridge Apartments (F/K/A Barrington Oaks Apartments) from Barrington Oaks, LLC to Timber Apartments, LP.

Commissioner Leake removed this item from Consent for more public awareness.

**RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS CONSENTING TO THE TRANSFER OF
TIMBER RIDGE APARTMENTS (F/K/A BARRINGTON OAKS APARTMENTS) FROM BARRINGTON OAKS, LLC TO TIMBER
APARTMENTS, LP**

WHEREAS, on July 8, 2003 the Board adopted a resolution approving financing with respect to the issuance of multifamily housing revenue bonds in an amount not to exceed \$5,000,000 in order to assist Regency Development Associates,

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Inc., a North Carolina corporation, acting through Barrington Oaks, LLC to finance the acquisition and renovation of an existing multifamily and low moderate income residential rental housing facility known as Timber Ridge Apartments (f/k/a Barrington Oaks Apartments); and

WHEREAS, special revenue bonds were issued secured by obligations of the developer and a letter of credit from SunTrust Bank; and

WHEREAS, SunTrust Bank ("SunTrust,") via one of its affiliate entities Barrington Oaks, LLC, owns the fee interest in Timber Ridge Apartments; and

WHEREAS, SunTrust has entered into a contract to sell Timber Ridge Apartments to Omni Acquisition Holdings LLC; and

WHEREAS, Omni Acquisition Holdings LLC has formed a single purpose limited partnership named Timber Apartments, LP to serve as the new owner.

WHEREAS, Section 12. Sale or Transfer of the Project, of the Regulatory Agreement, dated September 2003 (Instrument #2003227705) authorizing the Project precludes the borrower from the sale, transfer or other disposition of the project without the prior written consent of the Issuer and compliance with conditions set forth in Section 12 of the agreement; and

WHEREAS, the owner, Barrington Oaks, LLC has provided a Certificate of Compliance with section 12 (attached), which section 12 requires that consent be given as promptly as practicable.

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg County Board of Commissioners does hereby give CONSENT to the transfer of ownership of the housing project known as Timber Ridge from Barrington Oaks, LLC to Timber Apartments, LP.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:36 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 17, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Dunlap, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2413, 15-2414, 15-2417, 15-2434, 15-2440, 15-2442, and 15-2450 to be removed from consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 6-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to move Items 15-2440 Proclamation -- Social Work Appreciation Month, 15-2450 Child Abuse Prevention Month, and 15-2417 Proclamation -- Tobacco Free Mecklenburg Day, up on the agenda from Consent to Awards and Recognition.

Commissioner Dunlap entered the meeting.

STAFF BRIEFINGS - NONE

(15-2418, 15-2425) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

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Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 195-141-01, 195-141-02, and 059-161-03. It was noted also, that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:30 p.m.

Commissioners Clarke and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Commissioner Clarke was away from the dais when this portion of the meeting was called to order and until noted in the minutes.

AWARDS/RECOGNITION

(15-2450) PROCLAMATION CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring April 2015 as Child Abuse Prevention Month in Mecklenburg County.

Commissioner Leake read the proclamation.

Dana S. Frady, a Guardian ad Litem, addressed Child Abuse Prevention Month and accepted the proclamation.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2440) PROCLAMATION -- SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating March, 2015 as "Social Work Appreciation Month" in Mecklenburg County.

Commissioner Ridenhour read the proclamation.

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Director of Social Services Peggy Eagan commented on Social Work Appreciation Month and accepted the proclamation.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2417) PROCLAMATION -- TOBACCO FREE MECKLENBURG DAY

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating March 18, 2015 as Tobacco Free Mecklenburg Day.

Commissioner Scarborough read the proclamation.

A copy of the proclamation is on file with the Clerk to the Board.

PUBLIC APPEARANCE

(15-2423) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Cherry Reaves noted to the Board that she had appeared at previous meetings with concerns regarding her need for housing and concern for her children, who were removed from her care. Ms. Reaves desires to have a meeting with the County Manager or her designee to discuss her concerns. She said to date, her concerns had not been addressed.

APPOINTMENTS

(15-2439) NOMINATIONS/APPOINTMENTS

AUDIT REVIEW COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Audit Review Committee, Debra Paige, Alexander Vuchnich, and Richard Harris, who requested consideration to fill his unexpired term expiring December 3, 2015.

Note: Mr. Harris was removed for failing to meet the attendance requirement for 2014.

Note: An appointment will occur at the April 7, 2015 meeting.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint

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Ernestine Julue and Angela Lindsay to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2017.

They replace Jaye Alexander and Sarah Demarest, who failed to meet the attendance requirement for 2014.

Commissioner Clarke entered the meeting.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Sybil Richardson and Ty Turner to the Domestic Violence Advisory Board for three-year terms expiring April 30, 2018; and to nominate and appoint Roslyn Stitt to the Domestic Violence Advisory Board for a three-year term expiring April 30, 2018, effective May 1, 2015.

She replaces Patrick Burris, who is not eligible for reappointment, having served two consecutive terms.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-1 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Dunlap voting no, to appoint Michael Mulder to the Human Resources Advisory Committee to fill his previous unexpired term expiring January 31, 2017 and Lee Robertson to fill his previous unexpired term expiring June 30, 2017.

They were removed due to failing to meet the attendance requirement for 2014.

JUVENILE CRIME PREVENTION COUNCIL

Commissioner James nominated all applicants for appointment consideration to the Juvenile Crime Prevention Council: Kellie Anderson and LaTonya Summers.

Note: An appointment will occur on April 7, 2015.

(15-2449) AIR QUALITY COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Peter McGrath as Chair of the Air Quality Commission as recommended by the Air Quality Commission for the duration of his term.

He replaces Keith Long as Chair, who resigned from this role but will continue to serve as a member.

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PUBLIC HEARINGS

(15-2426) ALEXANDERANA ROAD NAME CHANGE TO ALEXANDRIANA ROAD

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming of Alexanderana Road to Alexandriana Road.

Note: The Olde Huntersville Historical Society and some property owners along Alexanderana Road petitioned to rename this street to Alexandriana Road. According to historic records Alexandriana was the correct spelling. Correcting the spelling would restore the historic name of the road.

The following persons appeared to speak in support of the name change: Linda Dalton, President of the Mecklenburg Historical Association and the Great, Great, Great, Great, Great Granddaughter of John McKnitt Alexander and Dan Boone with the Olde Huntersville Historic Society.

Note: "Alexandriana is a historic place name in northern Mecklenburg County. It dates back to the Colonial era and was first used as the name of the home and plantation of John McKnitt Alexander, one of the signers of the Mecklenburg Declaration of Independence of May 20, 1775. The house no longer exists. The site of Alexandriana is now a park, established by the Alexandriana chapter of the National Society of Daughters of the American Revolution."

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the renaming of Alexanderana Road to Alexandriana Road

(15-2427) SOUTH I-77 SERVICE ROAD NAME CHANGE TO CHARTOWN DRIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming of South I-77 Service Road to Chartown Drive.

Note: This road was originally part of NC Hwy 21. It was cut off by the construction of I-77 and never renamed. It's referred to as I-77 Service Road. The area was now being developed for commercial uses which will require a proper street name for emergency response.

No one appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the renaming of South I-77 Service Road to Chartown Drive.

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(15-2428) POPLAR TENT CHURCH ROAD NAME CHANGE TO POPLAR TENT ROAD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming of Poplar Tent Church Road to Poplar Tent Road.

Note: Portions of this road were in Mecklenburg County and portions were in Cabarrus County. The Mecklenburg County portion was named Poplar Tent Church Road and the majority of the road in Cabarrus County was named Poplar Tent Road. Changing the name along the Mecklenburg County portion of Poplar Tent Road would keep the name consistent along the whole stretch of road and prevent possible confusion, particularly for emergency response providers.

Commissioner Ridenhour spoke in opposition to the proposed name change because of the historic significance of the name Poplar Tent Church Road. Commissioner Ridenhour said Poplar Tent Church was a church of "great" historical significance during the Revolution. He noted that one of the believed drafters of the Mecklenburg Declaration of Independence was buried at Poplar Tent Church and that his grave was the only one of the three drafters graves that could be accounted for on the property. Thus, there's a strong connection with the name Poplar Tent Church and the Mecklenburg Declaration of Independence.

In addition, Commissioner Ridenhour said he was confident that the respective emergency response providers weren't and would not have any difficulty getting to the appropriate location on Poplar Tent Church Road or Poplar Tent Road.

Commissioner Puckett concurred with Commissioner Ridenhour's comments. He suggested Cabarrus County consider renaming their portion of the road Poplar Tent Church Road, if they were experiencing problems with emergency response.

No one from the public appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing.

Note: No action was taken to change the name of the road, therefore, the name of the road would remain Poplar Tent Church Road.

ADVISORY COMMITTEE REPORTS

(15-2438) CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION UPDATE

The Board received an update on Historic Landmarks Commission activities for 2014. Dr. Dan Morrill, Executive Director of the Historic Landmarks Commission gave the report.

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Note: The Charlotte-Mecklenburg Historic Landmarks Commission was created to insure the preservation of any property that embodies elements of the cultural, social, economic, political, or architectural history of Charlotte and Mecklenburg County for the education, pleasure and enhancement of the residents of the City and County.

The following was covered:

- Representative Landmarks
- FY 2014 Design Review
- 2014-2015 Properties Bought, Sold and Restored
- FY 2014 Special Projects
- Education Efforts

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner James asked about the Historic Mecklenburg County Courthouse and the floor of the building that was once the jail. Commissioner James said it would be good if that space could be utilized for some other purpose.

Dr. Morrill said that portion of the building was not a part of the historic designation, so if the Board wanted to redesign that space it could.

Dr. Morrill said the Historic Landmarks Commission would be happy to take a look at the area and to photograph it. He said those photographs could be placed on CD's and saved for historical reference.

Commissioner Clarke asked about the renovation and resale of property, which was addressed. *Dr. Morrill said the preference was to find someone who would be willing to restore a property, rather than that restoration being done by the Historic Landmarks Commission.*

Commissioner Puckett expressed his admiration for Dr. Morrill and the work that he continued to do.

Chairman Fuller thanked Dr. Morrill for his work and for the report.

MANAGER'S REPORT

(15-2443) MANAGER'S REPORT

Note: The only thing noted under Manager's Report was the introduction of Item 15-2452 Pretrial Services Eligibility Policy.

(15-2452) 2015 PRETRIAL SERVICES ELIGIBILITY POLICY

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to rescind Board Action of February 1, 2011, which authorized the 2011 Pretrial Services Eligibility Policy; and approve the 2015 Pretrial Services Eligibility Policy, as recommended by the District Court Subcommittee.

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Tom Eberly, Director of Criminal Justice Services presented this matter to the Board. He was assisted by the Honorable District Court Judge Matt Osman.

Note: In 2001, the Mecklenburg Board of County Commissioners (BOCC) established a Pretrial Services Eligibility Policy. This policy was created to provide direction to the program in releasing defendants from jail pending trial. On February 1, 2011, the BOCC revised the policy to reflect business process changes in Pretrial Services and a significant revision of the 26th Judicial District's Bail Policy.

Over the past year, Criminal Justice Services collaborated with the 26th Judicial District and the Laura and John Arnold Foundation to again improve the bail process in Mecklenburg County. The County was one of four sites in the country to be selected by the Foundation to receive technical assistance and exclusive access to their pretrial risk assessment tool. This tool, which was prepared by Mecklenburg County Pretrial Services for the Court, predicts defendants risk-level for failure to appear in court and future criminal activity. It also indicates whether a defendant had a propensity for violent behavior. The 26th Judicial District, under advisement of the District Court Subcommittee, agreed to adopt the Foundation's risk assessment tool and modified its Bail Policy accordingly on October 7, 2014. The District Court Subcommittee also reviewed the 2011 Pretrial Services Eligibility Policy and made recommendations to change the Policy so that it synchronizes with the 26th Judicial District's Bail Policy and extensive research from the Arnold Foundation.

The 2015 Pretrial Services Eligibility Policy does the following compared to the previous policy: 1) Removes restrictions not supported by research, 2) Eligibility for supervision will be based primarily on risk level, 3) High-risk defendants, regardless of their charge, are ineligible for supervision services, and 4) Charges related to murder, sex, robbery, or escape are automatically ineligible.

Comments prior to the above vote:

Commissioner James asked for clarity between the current list of offenses and the previous list, which was addressed.

Commissioner Cotham asked about the defendant interview process, which was addressed.

Commissioner Cotham asked about the composition of the District Court Subcommittee that was involved in reviewing this matter, which was addressed.

Commissioner Cotham said she would have liked there to have been a citizen, consumer or a family member of a defendant on the committee, which would have provided the opportunity for input from that perspective. She asked that going forward, that be kept in mind with future reviews.

Policy recorded in full in Minute/Ordinance Book _____ Document # _____.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2432) DEPARTMENT DIRECTORS' MONTHLY REPORT

The Board received as information monthly departmental reports for March 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County

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Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

(15-2436) FEATURE DEPARTMENT PRESENTATION: PUBLIC HEALTH

The Board received as information a report from Mecklenburg County's Public Health Department.

Health Director Dr. Marcus Plescia gave the report. Dr. Plescia addressed Mecklenburg County's Tobacco-Free Mecklenburg Initiative.

Note: Effective March 18, 2015, the grounds of Mecklenburg County government, the City of Charlotte, and the six townships in Mecklenburg County will be Smoke-Free and parks owned and operated by Mecklenburg County will be tobacco-free, with the exception of golf courses and 17 regional parks.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Scarborough asked about enforcement of the ordinance and regulations. *Dr. Plescia said it was his understanding enforcement associated with the ordinance would be what's referred to as "social enforcement," meaning, if you made it clear where people could and could not smoke, using good signage, then people would follow the rules. Dr. Plescia said it's not anticipated that many people would get fined. Dr. Plescia said he would suspect that the only time law enforcement action would be needed, was an instance where an individual got "aggressive" when asked not to smoke and they refused. He said law enforcement would be dealing more with the person's behavior and not the actual smoking.*

Commissioner Leake commented on the importance of prevention.

Commissioner Cotham asked about signage, which was addressed.

Commissioner Cotham asked about the cost of the effort. *Dr. Plescia said the signage cost was about \$150,000.*

Commissioner Dunlap noted that since the Board passed its ordinance prohibiting smoking on government grounds, a lot of other companies and businesses had done the same.

Commissioner Dunlap thanked Dr. Plescia for leading this effort.

Commissioner James asked for clarity with respect to employees that smoke while at work. He asked was there any disciplinary action that would be taken if an employee violates the ordinance, in addition to being fined. *Dr. Plescia noted that the County's health plan provides for nicotine replacement therapy. Dr. Plescia said smoking was a very addictive habit and that it would be difficult for some employees.*

Dr. Plescia said it was his understanding that consistent violations on the part of an employee would be dealt with the same as with violation of any other human resources rule.

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Commissioner James said he agreed smoking was not good for anyone, but he still questioned whether a person's right to do so should be prohibited and was there evidence that smoking impacted someone's job performance.

County Manager Diorio said like with any other Human Resources Policy, if violated and caught doing so, the progressive discipline process would be used. County Manager Diorio said the impact of implementing the policy would not be known until the ordinance went into effect.

Commissioner Ridenhour noted for public awareness that "government doesn't always get it right," but one thing he liked about the ordinance was that it was a good example of "folks getting together, talking about an issue and everyone compromising a little bit and coming out in the end with something that's good and going to work for the community."

Commissioner Cotham asked would the results of implementing the policy be tracked, in order to know the impact it had. *Dr. Plescia said yes, to the extent they could.*

STAFF REPORTS & REQUESTS

(15-2446) PUBLIC HEALTH ACCREDITATION

The Board receive an update on upcoming Public Health Accreditation. Health Director Dr. Marcus Plescia gave the report. The following was noted:

- The accreditation process was mandatory and involved three functional components:
 - 1) Self-Assessment
 - 2) Site Visit
 - 3) Determination of Accreditation by the Accrediting Board
- Documentation to support meeting a single set of Benchmarks was required.
- The accredited status is awarded for four years.

The purpose of the NC Public Health Accreditation is to 1) Determine performance and capacity, 2) Strengthen state and local partnerships, 3) Identify areas for system improvement, and 4) Assure a strong public health system is in place.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake noted that there were always recommendations for changes when going through the accreditation process. She asked Dr. Plescia if he was aware of previous recommendations made, per the last accreditation process, which was prior to his leadership. Commissioner Leake said staffing could possibly be an issue of concern.

Commissioner Leake also asked about records that Carolinas Healthcare System might have, that may be needed, since public health services transferred back to the County.

Dr. Plescia addressed the records issue, per the transferring of services back to the County.

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Chairman Fuller thanked Dr. Plescia for the update.

(15-2444) REMOVAL AND REINTERMENT OF GRAVES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution of the Mecklenburg County Board of Commissioners Allowing the Removal and Interment of Graves located on property owned by Zion Primitive Baptist Church located on East Sugar Creek Road in Charlotte, NC.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

ALLOWING THE REMOVAL AND REINTERMENT OF GRAVES

***WHEREAS**, pursuant to the provisions of Section 65-106 of the North Carolina General Statutes, see Exhibit E, Petitioner, the North Carolina Department of Transportation, seeks the removal of certain graves located on property owned by Zion Primitive Baptist Church located on East Sugar Creek Road in Charlotte, NC, identified as tax parcel no 09104223 by the Mecklenburg County Tax Office, see Exhibit A; and*

***WHEREAS**, Petitioner is in the process of constructing State Project WBS No 57500.2FRA01, ID No. U-5008; and*

***WHEREAS**, Petitioner has found approximately five (5) unmarked graves within the acquired right of way, a survey showing the location of the graves sites in the identified area is attached as Exhibit B, see also Exhibit C, a detailed sketch of the disinterment site; and*

***WHEREAS**, Petitioner has been unable to determine or locate the next of kin or any other descendants of persons interred in the acquired area of the Zion Primitive Baptist Church cemetery; and*

***WHEREAS**, in accordance with Section 65-106 of the General Statutes of North Carolina, the Petitioner respectfully files this Petition and requests approval to remove and reinter the remains of the unmarked graves, and any other potential remains which may be discovered from various other possible grave sites located within the acquired right of way to sites located at the back of the Zion Primitive Baptist Church Cemetery and more particularly described in Exhibit D attached hereto; and*

***WHEREAS**, Petitioner requests that the Board of County Commissioners designate Dr. Stephen Keener at the Department of Health of Mecklenburg County to supervise and direct the removal and re-interment. Petitioner has been in contact with Dr. Keener and has obtained his consent for this procedure; and*

***WHEREAS**, Petitioner has, at least thirty (30) days prior to disinterment, caused written notice of their intention to remove said graves to be published once per week for four successive weeks in a newspaper of general circulation in Mecklenburg County, see attached, referenced as Exhibit F; and*

***WHEREAS**, the removal and reinterment of said graves is not contrary to the public interest, the site of reinterment is of suitable dimensions to accommodate the remains of decedents and is reasonably accessible to all relatives of the decedents, and the Board has assurance that due care shall be taken to conduct said reinterment in a proper and decent manner, and if necessary, suitable coffins or boxes for reintering said remains shall be furnished, and it has assurance that due care shall be taken to remove, protect and replace all markers so as to leave such markers in as good condition as to that prior to disinterment.*

***NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Mecklenburg County, pursuant to North Carolina Gen. Stat. 65-106, that the Commissioners order the removal and reinterment of the five (5) unmarked graves located on a tract of land owned by Zion Primitive Baptist church on East Sugar Creek Road in Charlotte, NC as described more particularly in the attached Exhibits, and that Dr. Stephen Keener of the Mecklenburg County Health Department is hereby designated to direct the removal and reinterment.*

***BE IT FURTHER RESOLVED**, that the Clerk to the Board of Commissioners shall transmit a certified copy of this*

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Resolution to the agent for the Petitioners and said agent shall file or cause to be filed said Resolution along with the Certificate of Removal in the Office of the Registrar of Deeds for Mecklenburg County, North Carolina

Note: This matter was presented to the Board by Deputy County Attorney Tyrone Wade.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

(15-2418) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 195-141-01 and all of Tax Parcel 195-141-02 (+/- 50.22 acres) in the Town of Mint Hill's Extra-territorial jurisdiction for a future regional park from Kavarade, LLC for a purchase price of \$28,000 per acre.
- 2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 059-161-03 (± 1.613 acres) from D&R Properties of Charlotte, LLC in west Charlotte for a purchase price of \$32,000 for the future construction of Teddington Neighborhood Park.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2419) BUDGET AMENDMENT -- PARK AND RECREATION (BARK IN THE PARK DONATION)

Recognize, receive and appropriate a \$50,000 sponsorship from Harris Teeter, Inc. for the Park and Recreation Department's Bark in the Park event and dog park improvements.

(15-2420) CAPITAL RESERVE EXPENDITURE -- MCDOWELL PARK

Appropriate expenditure of up to \$40,000 from the McDowell Park Capital Reserve Fund (5807) for gate replacements at Copperhead Island (McDowell Nature Preserve) and the McDowell Campground.

(15-2424) MINUTES

Approve Minutes of Regular meeting held March 3, 2015, Special meeting held February 19, 2015, and Closed Session held March 3, 2015.

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(15-2429) EASEMENT DONATION -- CAMPBELL CREEK GREENWAY

1. Accept the donation of a temporary construction easement (\pm 3,545 square feet) and permanent greenway easement (\pm 10,632 square feet) on tax parcels 165-051-11, 165-081-01 and 165-081-06 from the Hindu Center; and
2. Authorize the County Manager to file a Right-of-Way Abandonment petition with the City of Charlotte requesting closure of a portion of City View Drive (\pm 0.1 acres) located between Dorn Circle and Campbell Creek and accept the residual property into adjacent Mecklenburg County owned properties; and
3. Authorize the County Manager to enter into a Memorandum of Understanding (MOU) with the Hindu Center with regard to the above referenced temporary and permanent greenway easements as well as the Right-of-Way abandonment for a portion of City View Drive.

Note: The Hindu Center is donating a temporary construction easement (\pm 3,545 square feet) on tax parcel 165-081-01 to facilitate the extension of an existing sidewalk on the property to the greenway trail. The Hindu Center is also donating a permanent greenway easement (\pm 10,632 square feet) to facilitate construction of the main greenway trail along Campbell Creek, portions of which will lie on the Hindu Center's property.

(15-2433) TAX REFUNDS

1. Approve refunds in the amount of \$9,612.46 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.
2. Approve refunds in the amount of \$416,648.03 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2437) EQUIPMENT LEASE -- PITNEY BOWES POSTAGE EQUIPMENT

Authorize the County Manager to negotiate and execute a four-year lease for postal equipment with Pitney Bowes Global Financial Services.

Note: The current lease for postal equipment for the Office of the Tax Collector expired on March 15, 2015. A new four-year agreement will result in the best possible pricing for Mecklenburg County and provide new postage equipment for the delivery of services. In addition, the agreement will contain an annual non-appropriation clause that will allow the County to terminate the agreement if funding is not available for the lease expense.

(15-2441) AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

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- A. Approve the attached list of vehicles and equipment (Exhibit A), included in the agenda package, as surplus; and
- B. Adopt a Resolution authorizing sale of personal property by public auction on April 18, 2015 at 10:00 a.m. at 5550 Wilkinson Boulevard, Charlotte, NC.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2445) RESOLUTION AMEND -- BUSINESS INVESTMENT PROGRAM GRANT: FRITO-LAY, INC.

Amend Resolution approving a Business Investment Program grant to Frito-Lay, Inc. approved by the Board on March 3, 2015 to correct a date error; and authorize the Clerk to the Board to amend the corresponding Request for Board Action.

Note: On March 3, 2015, the Board adopted a Resolution Approving Business Investment Program Grant For Frito-Lay, Inc. The Closed Session date stated in the resolution was incorrect. The Closed Session date should have stated February 3, 2015 and not January 21, 2015.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2413) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE/EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional Federal revenue in the amount of \$46,481 for monthly caseworker visits.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2414) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

- 1) Recognize, receive and appropriate state funds in the amount of \$74,414 received from the North Carolina Department of Health and Human Services, Division of Public Health; and

Note: Funds allocated to Children's Developmental Services Agency to establish and host a three part professional development training series that shall provide Early Intervention staff and providers an opportunity for professional development in evidence based practices.

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- 2) Recognize, receive and appropriate Medicaid Revenue in Children's Developmental Services Agency (CDSA) in the amount of \$88,624.

Note: Funds will be used to cover cellphone expenses for CDSA staff, document management expenses, and upgrade of a Health Therapist position from 75% to 100%.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2434) GRANT APPLICATION -- JOHN D. AND CATHERINE T. MACARTHUR FOUNDATION SAFETY AND JUSTICE CHALLENGE GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a formal grant application for funding in the amount of \$150,000 from the John D. and Catherine T. MacArthur Foundation; and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The John D. and Catherine T. MacArthur Foundation is providing a no cash match \$150,000 grant to twenty selected counties to rigorously examine how their jails are being utilized and to determine strategies that will reduce incarceration without compromising public safety. If awarded, the grant will also provide expert technical assistance to assist sites with executing a data-driven planning process.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2442) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

- 1) Recognize and appropriate \$122,000 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund; and

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

- 2) Recognize and appropriate \$58,000 from the Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

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Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:46 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

APRIL 7, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 7, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Deputy Clerk to the Board Tonette F. Spears

Absent: Commissioner Dumont Clarke

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2453, 15-2466, 15-2475 and 15-2490 to be removed from consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move item 15-2490 – Proclamation – Scottish Heritage Month up on the Agenda to Awards /Recognition.

STAFF BRIEFINGS - NONE

(15-2465, 15-2484) CLOSED SESSION – CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax parcel #145-172-11. It was also noted that there was no Consult with Attorney matter to be discussed in Closed Session.

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Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:32 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Leake, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

(15-2490) PROCLAMATION -- SCOTTISH HERITAGE MONTH (COMMISSIONER PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating April 2015 as Scottish Heritage Month in Mecklenburg County.

The Proclamation was read by Commissioner Puckett and received by Maurice McIntosh and John Ferguson.

Mr. McIntosh extended an invitation to the 2015 Rural Hill Scottish Festival & Loch Norman Highland games to be held April 18-19 at the Historic Rural Hill located in Huntersville, NC.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2463) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Andy McIntyre came before the Board to speak on the renovations at the Mecklenburg County Aquatic Center. He expressed concerns regarding the removal of the 3 meter high dive board.

(15-2473) APPOINTMENTS

AUDIT REVIEW COMMITTEE

The vote was taken on the following nominees for appointment to the Audit Review Committee:

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Round One

Richard Harris	None
Debra Paige	Commissioners Leake and Scarborough
Alexander Vuchnich	Commissioners Cotham, Dunlap, Fuller, James, Ridenhour and Puckett

Chairman Fuller announced the appointment of Alexander Vuchnich to the Audit Review Committee to fill an unexpired term expiring December 3, 2015.

He replaces Richard Harris, who failed to meet the attendance requirement for 2014.

JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council:

Round One

Kellie Anderson	Commissioners Cotham, Dunlap, Fuller, James, Ridenhour and Puckett
LaTonya Summers	Commissioners Leake and Scarborough

Chairman Fuller announced the appointment of Kellie Anderson to the Juvenile Crime Prevention Council as a General Public representative to fill an unexpired term expiring June 30, 2016.

She replaces Shalonda Gallman, who failed to meet the attendance requirement for 2014.

(15-2491) NOMINATIONS/APPOINTMENTS

PLANNING COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Dr. Dwayne Walker to the Planning Commission to complete his unexpired term expiring June 30, 2015.

Dr. Walker was removed due to failing to meet the attendance requirement for 2014.

The Board discussed concerns regarding the attendance policy for advisory boards. It was the consensus of the Board that this matter be referred to the Board's Intergovernmental Relations Committee for a report back to the full Board.

The Board discussed the length of time it was taking to fill the remaining vacant slot on the Planning Commission. It was shared that the delay had to do with the number of persons nominated and to the inability to retain Board members to serve on the Ad Hoc Interview committee.

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Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to rescind the Board's action taken on January 21, 2015, which resulted in all applicants being nominated for appointment consideration to the Planning Commission and to bring the matter back to the Board for another nomination process to narrow the field of applicants to be interviewed

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(15-2488) MANAGER'S REPORT

Manager Diorio introduced the new director of Economic Development, Peter Ziegler.

(15-2470) NACO ANNUAL CONFERENCE - UPDATE

Deputy County Manager/Chief of Staff, Chris Peek, gave an update on the National Association of Counties (NACo) annual conference to be hosted by Mecklenburg County. NACo is scheduled to hold its annual conference in Charlotte-Mecklenburg County July 10 - 14, 2015. This event will bring an estimated 3000 elected officials and staff members from across the country to Charlotte. As part of being host the county staff is responsible for carrying out logistical and operational items. Also, as host to the convention, each Board member would receive a complimentary registration to the conference and all events. There will also be a VIP Opening ceremony at the Mint Museum and Closing ceremony at the NASCAR Hall of Fame.

A short promotional video was shown that is being used across the country to highlight Mecklenburg County.

(15-2494) POLICE PATROLS ON LAKE NORMAN

County Manager Diorio addressed the proposed Lake Norman Patrol Interlocal Agreement.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution Approving the Lake Norman Patrol Interlocal Agreement which authorizes the County Manager to execute such Agreement.

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**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING THE LAKE NORMAN PATROL
INTERLOCAL AGREEMENT**

WHEREAS, the City of Charlotte Police Department and the Mecklenburg County Police Department were consolidated as the Charlotte-Mecklenburg Police Department on October 1, 1993 pursuant to Article 20, Chapter 160A of the North Carolina General Statutes and Chapter 1170 of the 1969 Session Laws, by the agreement entitled "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" (the "City-County Police Consolidation Agreement"); and

WHEREAS, the County, City and the Town of Cornelius have negotiated the "Lake Norman Patrol Interlocal Agreement Among Mecklenburg County, City of Charlotte and Town of Cornelius" (the "Lake Norman Patrol Agreement") to transfer some of the responsibilities of the City under the City-County Police Consolidation Agreement to patrol Lake Norman to Cornelius; and

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings; and

WHEREAS, pursuant to the provisions of Article 20 of Chapter 160A, the County, the City, and Cornelius wish to enter into the Lake Norman Patrol Agreement, an interlocal cooperation agreement, a copy of which has been provide to the Board of Commissioners, to specify the level of law enforcement services to be provided by the Charlotte-Mecklenburg Police Department on Lake Norman, the level of law enforcement services to be provided by the Cornelius Police Department on Lake Norman, and the financial arrangement between the County and the City, and between the County and Cornelius, with respect thereto; now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Lake Norman Patrol Agreement as provided to the Board is hereby approved, and the County Manager is hereby authorized to execute such interlocal agreement in substantially the form provide to the Board, and that this Resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book _____ Document #_____.

(15-2484) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #145-172-11 (+/- .14 acres) from Mr. Caudahy Hall in the City of Charlotte for a purchase price of \$120,000.
- 2) Appropriate \$15,200 for demolition of the single family home, an outbuilding and debris clean-up of the property after closing from Fiscal Year 2015 Land Acquisition funding.

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DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2489) ITEM REMOVED: POVERTY VS. COST OF LIVING (COMMISSIONER LEAKE)

This item was removed from the Agenda.

CONSENT ITEMS

(15-2442) ITEM REMOVED: BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

This item was removed from the Agenda because it was a duplication of an item approved at the Board's March 17, 2015 meeting.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2454) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

- 1) Recognize, receive and appropriate a revenue increase of \$85,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Dorman Road improvements) subdivision and carry forward the unspent balance until project is completed.
- 2) Recognize, receive and appropriate a revenue increase of \$20,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 1) subdivision and carry forward the unspent balance until project is completed.
- 3) Recognize, receive and appropriate a revenue increase of \$101,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 2) subdivision and carry forward the unspent balance until project is completed.
- 4) Recognize, receive and appropriate a revenue increase of \$50,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 3) subdivision and carry forward the unspent balance until project is completed.

(15-2457) APPOINTMENT OF REVIEW OFFICERS

- 1) Rescind the Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office that was adopted by the Board of Commissioners at its meeting on March 3, 2015; and

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2) Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to designate Caroline Sawyer as a Review Officer and to delete Broderick Whitlock.

Resolution recorded in full in Minute/Ordinance Book _____ Document #_____.

(15-2459) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$49,741 from Valley-Forest Brook, LLC as part of a default of bond obligations related to Forest Brook subdivision and carry forward the unspent balance until project is completed.

(15-2460) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$21,445.06 from G.D. Smith Development Group, Inc., as part of a default of bond obligations related to Jetton Cove subdivision and carry forward the unspent balance until the project is completed.

(15-2464) MINUTES

Approve Minutes of Regular meeting held March 17, 2015 and Closed Sessions held March 17, 2015, February 3, 2015 and January 21, 2015.

(15-2467) RESOLUTION DONATING OBSOLETE EQUIPMENT TO THE CITY OF CHARLOTTE

Adopt a Resolution Donating Equipment to the City of Charlotte.

Note: Equipment donated was two roller shelving assemblies bearing inventory numbers MC1989 and MC5695 to the City of Charlotte Clerk's Office from the office of the Mecklenburg County Register of Deeds.

Resolution recorded in full in Minute/Ordinance Book _____ Document #_____.

**(15-2474) GRANT APPLICATION -- NC INSURANCE DIVISION OF SR. HLTH INSURANCE INFO PROGRAM
MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT GRANT**

Approve an \$1,800 grant application for a Medicare Improvement for Patients and Providers Act (MIPPA) Grant from NC Senior Health Insurance Information Program (SHIIP); and if awarded, recognize, receive and appropriate such funds for the grant period.

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(15-2476) LAND ACQUISITION -- TEDDINGTON NEIGHBORHOOD PARK

Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel 059-161-19 (± 1.2 acres) in the amount of \$13,500 for the future construction of Teddington Neighborhood Park.

(15-2477) DONATION -- SOFTBALL FIELD SCOREBOARD FOR PARK ROAD PARK FROM QUEENS UNIVERSITY

Recognize and receive a donation from Queens University of a softball field scoreboard for Park Road Park valued at \$2,798.

(15-2478) CAPITAL RESERVE EXPENDITURE -- MCDOWELL PARK BOAT TRAILER REPLACEMENT

Appropriate expenditure of up to \$5,000 from the McDowell Park Capital Reserve Fund to replace the existing boat trailer.

(15-2479) LAND DONATION -- IRWIN CREEK GREENWAY

Accept the donation of a portion of Tax Parcel 145-179-26 (+/- .10 acres) from Habitat for Humanity of Charlotte, Inc. for inclusion into Irwin Creek Greenway.

(15-2482) LITTLE SUGAR CREEK GREENWAY AGREEMENTS

A) Accept the donation of Permanent Greenway and Temporary Construction Easements from the City of Charlotte on the Sugar Creek Waste Water Treatment Plant Property (Tax Parcels 171-171-02, 171-171-03 and 171-231-05) for the construction, maintenance and repair of a 12' main trail and an access trail for Little Sugar Creek Greenway to be constructed and maintained by Mecklenburg County.

B) Authorize the County Manager to negotiate and execute a trail encroachment agreement between the County and Duke Energy to allow portions of the greenway to be constructed within Duke Energy's Right-of-Way on Tax Parcels 171-171-03 and 171-231-05 and to provide Duke Energy access to the greenway trail to maintain and repair their Right-of-Way and transmission tower located on Tax Parcel 171-171-03.

C) Authorize the County Manager to negotiate and execute a Right-of-Way Encroachment Agreement with the City of Charlotte to allow interconnections of the greenway with City street rights-of-way at Tanbark Place, Tyvola Road and Archdale Drive.

(15-2485) SUBCONTRACTOR PREQUALIFICATIONS -- CONSTRUCTION MANAGER @ RISK (MECKLENBURG COUNTY AQUATICS CENTER RENOVATIONS)

Authorize the first-tier Subcontractor Prequalification procedure provided by Balfour Beatty Construction for the Mecklenburg County Aquatics Center Renovations.

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(15-2486) CONSTRUCTION CONTRACT -- MECKLENBURG COUNTY REGIONAL SPORTSPLEX - PHASE II

Award a construction contract to J. D. Goodrum Company in the amount of \$16,305,000 for the construction of Mecklenburg County Regional SportsPlex Phase II, approved in the FY2014 Capital Projects allocation.

Note: The project site is located in Matthews, NC.

(15-2487) GRANT APPLICATION -- MEDICAL EXAMINER'S OFFICE

Approve continuing with the grant application process for \$108,000 from the National Institute of Justice to create a database to document and track unidentified human remains in Mecklenburg County and North Carolina; and if awarded grant, recognize, receive and appropriate awarded funds for the grant period.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2453) BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$24,500 in estimated additional revenue to be generated from fees, charges and donations before June 30, 2015.

Note: Funds will be used to purchase blinds for the NOVA office to provide improved confidentiality for groups/services. Additionally, the funds will be used to purchase program supplies for the adult and children domestic violence services and to purchase chairs for clients in all domestic violence programs.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2466) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional Child Care Subsidy revenue of \$888,997 from the North Carolina Division of Child Development and Early Education (DCDEE). The federal revenue increased by \$732,674 and state revenue by \$156,323.

A. Child Care Subsidy: \$732,674 Federal and \$111,108 state revenue increase

B. Smart Start Subsidy: \$45,215 state revenue increase

Commissioner Leake removed this item from Consent for more public awareness.

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(15-2475) GRANT APPLICATION -- HOME AND COMMUNITY CARE BLOCK GRANT - SENIOR CENTER OPERATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a \$125,000 grant application for a Senior Center Operations Home and Community Care Block Grant; and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:22 p.m.

Tonette F. Spears, Deputy Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 21, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham,
George Dunlap, Bill James, Vilma D. Leake,
Jim Puckett and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Matthew Ridenhour

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2502, 15-2511, 15-2512, 15-2514, 15-2521, and 15-2522 to be removed from consent and voted upon separately.

STAFF BRIEFINGS

It was the consensus of the Board to hear from Attorney Robert Adden, with Ruff, Bond, Cobb, Wade & Bethune, L.L.P. regarding proposed legislation Senate Bill (SB) 159, an amendment to SL-2013-362, the session law that authorized Pearson's Appraisal Services to do the revaluation of property, per the 2011 Mecklenburg County revaluation. The following was noted:

- People who purchased a property after January 1, 2011 complained that they should not have to be responsible for payment of taxes on their property for years that they didn't own the property.
- As a result of this complaint, NC Senator Jeff Tarte proposed legislation to correct that, so the current property owner would not be liable for the increase in taxes for years they weren't the owner.
- Staff, along with legislative staff have been working with Senator Tarte to come up with corrective legislation.

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- Today the Senate committee passed SB159.
- The next step is for it to go to the House.
- The proposed amendment does the following:
 - Extends the due date for discovery bills that went out last fall (Oct-Nov 2014) that had a due date of January 5, 2015 without interest, to a due date of January 5, 2016. (Note: This extension was done per the County Manager's suggestion.)
 - Provides that if the current owner purchased the property after January 1, 2011, they would only be responsible for the increase in taxes for the years he or she owned the property. There would be a lien on the property. The prior property owner would be responsible for that increase. Bills would be sent to the prior property owner. The bill that would go to the prior property owner would not have a lien on the land.
 - If the current owner paid taxes for years they didn't own the property, then the County would refund the taxpayer the taxes paid, plus interest.
 - If additional taxes levied as a result of the 2011 Revaluation exceed \$1,000, the taxpayer would have five years to pay the taxes (Note: This applies to any discovery bill, whether you're the owner or not.)
 - The due date for payment of discovery bills would be January 5, 2016 and after that interest would start to accrue (10.25% the first year and 9% thereafter, but the taxpayer would still have five years to pay.
 - The tax collector would not be able to enforce any of its collection remedies until after the five year period.)

Staff Concerns

- There might be some collection issues if the prior owner has left the state.
- The five year payment period is too long, keeping in mind staff would be into the next revaluation cycle and taxpayers would still be paying taxes for the 2011 Revaluation.
- The amount of interest that taxpayers would be paying.

County Manager Diorio said staff's preference was to have the five years removed and let the due date of January 5, 2016 remain.

Comments

Commissioner James suggested placing on the tax bill what the interest would be in five years.

Commissioner Puckett said even though the passage of the proposed amendment would result in additional work for staff, he was okay with that, in light of this being the County's mistake, the 2011 Revaluation. Commissioner Puckett said he would be okay with no interest being charged.

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Commissioner Dunlap said he, too, felt there were times when you have to pay for your mistakes and just “eat” that costs.

Commissioner James said he thought it was discussed previously that there could not be different interest rates for different groups of people.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioner Puckett voting no, to ask N.C. Senator Jeff Tarte to consider amending NC Senate Bill 159, proposed amendment to Session Law 2013-362 by changing the amount of the discovery bill to \$1,500.00 rather than \$1,000.00 and that the allowable payment period be (2) two years, rather than (5) five years.

(15-2497, 15-2531) CLOSED SESSION – CONSULT WITH ATTORNEY AND TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11 (a)(1))

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney and to Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11 (a)(1)).

The Board went into Closed Session at 5:33 p.m. and came back into Open Session at 6:07 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Leake, followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(15-2495) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

APPOINTMENTS

(15-2507) TOWN OF HUNTERSVILLE BOARD OF ADJUSTMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to appoint Wilbur Smith to the Town of Huntersville Board of Adjustment as the Extraterritorial Jurisdiction member (ETJ) as

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recommended by the Town of Huntersville Board of Commissioners for a term beginning May 1, 2015 and expiring June 30, 2018.

(15-2509) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Precious Wallace to the Adult Care Home Advisory Committee for a one-year term expiring April 30, 2016.

She replaces Joan Kirk, who resigned.

BICYCLE COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Bicycle Committee: Debra Franklin, Donald Pomeroy and Heather Seagle.

Note: An appointment will occur at the May 5, 2015 meeting.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Trevor Beauford and Christopher Jones to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2017.

They replace Shannon McKnight and Thomas Vinson, who failed to meet the attendance requirement for 2014.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Jeremy Stephenson to the Human Resources Advisory Committee to fill an unexpired term expiring February 4, 2016.

He replaces Ada Watson-White, who resigned.

Note: Prior to the above vote Commissioner Scarborough offered a substitute motion to appoint Cynthia Ham, but redrew her motion when it was noted that Ms. Ham had not submitted an application.

WOMEN'S ADVISORY BOARD

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Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to reappoint Renee Barfield, Kimberly Caldwell, Charles Henderson, Mallorri Hermanson, Sandra Johnson and Linda Webb to the Women's Advisory Board for three-year terms expiring April 30, 2018.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Mary Kelly to fill an unexpired term expiring June 30, 2016.

She replaces Jasmine Starks, who relocated out of Mecklenburg County.

APPOINTMENT/NOMINATIONS

(15-2535) PLANNING COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to reappoint Deborah Ryan to the Planning Commission for a three-year term expiring June 30, 2018, effective July 1, 2015.

The following persons were nominated for appointment consideration to the Planning Commission:

Adam Grabiec	by Commissioner Cotham
Karla Knotts	by Commissioner Puckett
Nasif Majeed	by Commissioner Dunlap
Jeffery Reynolds	by Commissioner Puckett

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to close nominations.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Planning Commission must undergo an interview process.

Note: Commissioners Cotham, Leake, Puckett, and Scarborough volunteered to serve on the ad hoc committee.

PUBLIC HEARINGS - 6:30 PM

(15-2504) AFFORDABLE FACILITY SOLUTION TEFRA HEARING – ITEM WAS REMOVED FROM AGENDA

(15-2506) COVENANT DAY SCHOOL TEFRA HEARING

At **6:35** p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), of its Educational Facilities Revenue Bonds (Covenant Day School), Series 2015 (the "*2015 Bonds*"), in an aggregate principal amount not to exceed \$8,500,000, the proceeds of

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which will be loaned to Covenant Day School (the “School”) to enable the School (1) to finance all or a portion of the capital costs to construct, equip and furnish a new high school facility and other related improvements on the School’s campus (collectively, the “Project”) and (2) to pay certain costs incurred in connection with the issuance of the 2015 Bonds.

The Project will be owned and operated by the School and will be located on the School’s main campus at 800 Fullwood Lane, Matthews, North Carolina 28105.

On **April 7, 2015**, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the Project to be financed, the maximum principal amount of the 2015 Bonds, the initial owner, operator or manager of the Project and the location of the Project, among other things.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Jim Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to open the public hearing.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2015 Bonds or who responded in writing to the notice of public hearing are as follows: Mark Davis, Head of School, Covenant Day School, 800 Fullwood Lane, Matthews, NC 28105 and Chris Hempe, CFO, appeared at the public hearing and answered questions from members of the Board of County Commissioners about the makeup of the school population, the cost to attend, and the nature of the proposed project.

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, **Commissioner George Dunlap** moved that the public hearing be closed. The motion was seconded by **Commissioner Bill James** and was unanimously adopted.

Chairman Trevor M. Fuller introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (COVENANT DAY SCHOOL), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000

WHEREAS, Covenant Day School, a North Carolina nonprofit corporation (the “School”), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Educational Facilities Revenue Bonds (Covenant Day School), Series 2015 (the “2015 Bonds”), in an aggregate principal amount not to exceed \$8,500,000 to enable the School (1) to finance all or a portion of the capital costs to construct, equip and furnish a new high school facility and other related improvements on the School’s campus (collectively, the “Project”) and (2) to pay certain costs incurred in connection with the issuance of the 2015 Bonds;

WHEREAS, the Project will be owned and operated by the School and will be located within the County on the School’s main campus at 800 Fullwood Lane, Matthews, North Carolina 28105;

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WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2015 Bonds are required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the area in which the Project is or will be located, after a public hearing held following reasonable public notice;

WHEREAS, the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “County”) is the “applicable elected representative” of the County for the Project;

WHEREAS, the School has requested that the Board approve the Authority’s issuance of the 2015 Bonds and the financing of the Project in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the “TEFRA Notice”), held a public hearing today regarding the Authority’s issuance of the 2015 Bonds and the financing of the Project and now desires to approve the Authority’s issuance of the 2015 Bonds and the financing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority’s issuance of the 2015 Bonds in an aggregate principal amount not to exceed \$8,500,000 and (b) the financing of the Project.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2015 Bonds or for any costs incurred by the School with respect to the 2015 Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.

On motion of Commissioner George Dunlap, seconded by Commissioner Bill James, the foregoing resolution entitled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE BONDS (COVENANT DAY SCHOOL), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000**” was duly adopted by the following vote:

AYES:	Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, and Ella B. Scarborough
NAYS:	None

Extract/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

ADVISORY COMMITTEE REPORTS

(15-2519) JUVENILE CRIME PREVENTION COUNCIL ANNUAL UPDATE AND FY16 FUNDING ALLOCATION PLAN

The Board received the Juvenile Crime Prevention Council Annual Update, as well as, information regarding the FY16 Funding Allocation Plan. Darrell Gregory, chairman of the Juvenile Crime Prevention Council presented the matter to the Board.

Note: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) is a statutorily authorized advisory board charged with: reviewing the needs of juveniles who commit delinquent acts or are at-risk of becoming court-involved, assessing local service needs, and presenting an annual service proposal to the Board of County

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Commissioners. The JCPC's mission is to address gaps in youth services by promoting prevention, intervention, treatment, and aftercare strategies and programs that strengthen families and support community safety.

Darryl Bego, head of Youth Development Initiatives, Inc., a non-profit, spoke in opposition to the proposed FY16 Funding Allocation. Mr. Bego provided information to the Board with respect to his opposition.

Mr. Bego said the funding allocation being recommended was “an abuse of taxpayers’ dollars.” He asked the Board not to approve the JCPC FY16 Funding Allocation Plan until “an investigation into this year’s funding process is completed by the County Manager’s Office.”

Mr. Bego said his agency had received funding for the past six years, but was not included in the FY16 recommendation.

A copy of his handout is on file with the Clerk to the Board.

Comments

Commissioner James asked about the ranking process, which was addressed by Mr. Gregory.

Commissioner James asked whether any members of the Juvenile Crime Prevention Council had a conflict of interest with respect to the ranking process. *Mr. Gregory said not to his knowledge. He said members were required to sign a conflict of interest statement at the beginning of every year.*

Commissioner Dunlap said the Juvenile Crime Prevention Council provided sufficient information regarding their selection process.

Commissioner Cotham asked about the composition of the Juvenile Crime Prevention Council, which was addressed by Mr. Gregory.

Commissioner Cotham asked about the non-funding of Project Lift, which was addressed by Mr. Gregory.

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham, to defer consideration of this matter and send it back for additional information, in light of the concerns raised.

Commissioner Scarborough said she would not want to approve the request and discover later that there was a flaw in the process.

Commissioner Dunlap said Mr. Gregory articulated what took place in the selection process and the criteria used.

Commissioner Dunlap said he would support the Juvenile Crime Prevention Council’s recommendation.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Dunlap, to: 1) receive the Juvenile Crime Prevention Council annual update; 2) recognize and appropriate FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,187,277; and 3) approve the FY16 funding allocation plan recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

Commissioner Puckett said it appeared that the Juvenile Crime Prevention Council’s process only became a concern for Mr. Bego when his agency was not being recommended for continued funding.

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Commissioner Puckett expressed confidence in the Juvenile Crime Prevention Council.

Commissioner James addressed the expertise of those serving on the Juvenile Crime Prevention Council.

Commissioner James said there would always be agencies that express dissatisfaction if their request for funding was denied.

Commissioner James said in this instance the question was whether or not the Board felt, per the concerns raised, there was any inappropriateness that took place in the selection process. Commissioner James said to determine that would require the matter to be looked into by the County Manager and the County Attorney.

Commissioner James said he would support the substitute motion with the understanding that if there was something wrong with the process used by the Juvenile Crime Prevention Council, that the County Manager, along with the County Attorney and other appropriate staff, would make sure no funds were allocated to an agency that was not deserving of the funds.

Commissioner James said it was appropriate for the Board to approve the recommendation of the Juvenile Crime Prevention Council and that whatever allegations being made about the process deserved to be fully vetted. He said the County Manager would be responsible for looking into the matter and letting the Board know if there was any validity to the allegations.

Chairman Fuller said funding decisions were always difficult to make. He said the number of requests always exceed the amount of available funding, subsequently there would always be disappointments.

Chairman Fuller echoed Commissioner James' sentiment that if it's determined there was a problem, he, too, would expect the County Manager to inform the Board.

Chairman Fuller said he accepted Mr. Gregory's representation of the Council's work in this matter.

The vote was then taken on the substitute motion as noted below.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 6-2 with Commissioners Clarke, Dunlap, Fuller, James, Leake, and Puckett voting yes and Commissioners Cotham and Scarborough voting no, to: 1) receive the Juvenile Crime Prevention Council annual update; 2) recognize and appropriate FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,187,277; and 3) approve the FY16 funding allocation plan recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

The FY16 funding allocation plan as recommended by the JCPC, which includes administration funds for the JCPC's operation:

- 1) Project Challenge: Restitution/Community Service - \$142,057
- 2) Capstone Climbing & Adventures: Restitution/Community Service - \$142,057
- 3) CMPD: Youthful Diversion Program - \$70,262
- 4) West Baptist Community Association: GAP (Gang Awareness Program), Parent/Family Skill Building - \$222,889
- 5) DASH: Parent/Family Skill Building - \$97,770
- 6) Tresports: Interpersonal Skill Building - \$223,789
- 7) Barium Springs: Court Psychologist - \$125,193
- 8) Urban League: Tutoring Academic Enhancement Program - \$147,760

9) JCPC Administration - \$15,500

MANAGER'S REPORT

(15-2493) RECOGNITION OF VOLUNTEERS

County Manager Diorio, in recognition of April as National Volunteer Month, recognized and acknowledge the presence of County Volunteers that help the County serve its residents. Volunteers present were asked to stand. Sincere thanks and appreciation was expressed to those present, as well as, those not present.

Chairman Fuller on behalf of the Board expressed thanks to all persons who volunteer their time and service to Mecklenburg County.

Note: Mecklenburg County Government utilizes the help of hundreds of volunteers each year.

(15-2534) NORTH TRYON VISION PLAN AND RESTORATION OF THE CAROLINA THEATER

County Manager Diorio introduced Michael Smith, President & CEO of Charlotte Center City Partners and Michael Marsicano, President & CEO of the Foundation for the Carolinas to provide a report on the North Tryon Vision Plan and the restoration of the Carolina Theater.

It was noted the County was being asked for a one-time capital allocation/ investment of \$3.7 million, matching the City of Charlotte's contribution of land. County funds would only be used towards the Theater renovation. The joint public sector investment would be \$7.4 million, to leverage the \$118 million project for the community, a public sector investment in the overall project of 6.3%.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Puckett spoke in support of the project.

Commissioner Leake spoke in support of the project. Commissioner Leake noted, however, for the public's awareness, that when the Carolina Theater opened in 1927, African Americans were not allowed to enter through the front of the theater and seating was restricted to the balcony.

Commissioner Leake said hopefully the restoration of the theater would help heal some of the "wounds" that might still exist in the community from that era, especially when you want to use tax dollars for renovation.

Commissioner Leake addressed the old Brooklyn Community and the high school that existed at that time.

Commissioner Leake said this area needed to be revitalized as well, now known as Second Ward and Third Ward. She asked was that on the radar.

Mr. Marsicano said the Foundation for the Carolinas was working in partnership with the County on the whole economic development upward mobility task force. He said Mr. Smith was working on the downtown work with the other wards.

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Commissioner Leake said she would like for the Foundation for the Carolinas to also be a part of the revitalization of Brooklyn.

Mr. Smith said Charlotte Center City Partners was “committed” to the vision the County adopted in the Second Ward Vision Plan. He said the Second Ward Vision Plan speaks to the history of Brooklyn and the need to redevelop it.

Mr. Smith said the County had an “incredible” assemblage of land in that area. He said “we are without bounds on what we can accomplish in the redevelopment of the Second Ward, honoring its history and using that plan as a guide.”

Note: Commissioner Leake asked that Mr. Smith’s statement be recorded in the minutes.

Commissioner Leake said the people of District Two that lived in Second Ward when it was known as Brooklyn, had repeatedly talked with her about the revitalization of that area. Commissioner Leake said it appeared that every time it comes up, it’s “put back on the back burner.” Commissioner Leake said it needed to be brought to the “forefront.”

Mr. Marsicano made the following statement in response to Commissioner Leake’s statement regarding the history of the theater. “I have this passionate belief that if you bury discrimination, we will not learn from it and it will rise its head again.” “We have to tell the story in the renovation of the Carolina Theater, the way it was, so that people know something like that can never happen again.”

Mr. Marsicano said “in restoring the theater and telling that story, the oral history is a part of it, we can actually right a wrong.”

Commissioner Scarborough expressed support of the project.

Commissioner Scarborough said with respect to Commissioner Leake’s comment regarding the segregation that took place at the Carolina Theater, that she recalled being arrested, along with others in 1963 in Sumter, S.C. for entering the front doors of the Sumter theater. She noted that efforts were also being undertaken to revitalize that theater.

Commissioner Scarborough said with respect to the effort to restore the Carolina Theater and its history, “to restore this and to bring it back into the fold and everyone can walk in the front doors, how marvelous!”

Commissioner James asked for clarity around the requested \$3.7 million County investment. He asked was it a land swap or cash. *County Manager Diorio said it would be cash.*

County Manager Diorio said staff would have to work through what the source of that cash would be. She said one possibility was the proceeds from the sale of the Hal Marshall building. She said the proceeds are supposed to be used for other capital.

County Manager Diorio said the cash won’t align exactly right in terms of timing, but staff felt the contribution could be made for the Carolina Theater and not impact other capital projects that the County had on-going.

Commissioner James questioned how this project could go from not being on a list, to now being on the list. He referenced the County’s ranking process for projects.

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Commissioner James said the idea of renovating the Carolina Theater dated back at least to 1997. He said he was supportive of it at that time, but wasn't sure if he supported using taxpayer dollars to do so.

Commissioner James said he would consider the current request.

Commissioner Dunlap spoke in support of the project.

Chairman Fuller spoke in support of the project and thanked County Manager Diorio, Mr. Smith and Mr. Marsicano for bringing this matter to the Board.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2503) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for April 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

(15-2518) FEATURE DEPARTMENT PRESENTATION: ASSET AND FACILITY MANAGEMENT

The Board received as information a report from Mecklenburg County's Asset and Facility Management Department.

Asset and Facility Management Director Mark Hahn gave the report. The following was covered:

- The Department's Mission
- The five Divisions of Asset and Facility Management
 - Design and Construction Project Management
 - Facility Maintenance and Operations
 - Security Services
 - Real Estate Management
 - Fleet and Courier Services

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake asked about the maintenance of the courthouse, which was addressed.

Commissioner Dunlap with respect to the number of providers in the community, asked why the County limited itself to a small number of providers when it came to facility maintenance. He asked was it possible for the County to have smaller contracts to allow opportunity for more providers to have contracts with the County.

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Director Hahn said with respect to contracts for facility maintenance that it had gone from having one contract to three, however, one vendor had two contracts. Director Hahn said the vendors that have contracts with the County subcontract with other vendors.

Commissioner Leake said the grounds at the Hal Marshall Building were not well maintained, as well as, at the Valerie Woodard Center.

Director Hahn said he would look into those matters.

Chairman Fuller thanked Director Hahn for his report.

Commissioner Clarke left the meeting and was absent for the remainder of the meeting.

STAFF REPORTS & REQUESTS

(15-2513) 2014 MECKLENBURG COUNTY ECONOMIC DEVELOPMENT ANNUAL REPORT

The Board received as information 2014 Economic Development Report.

Assistant County Manager Leslie Johnson gave the report. The following was covered:

2014 County Ranking for Economic Well-Being
2009-2014 Top County Industries by Job Growth
2014 Major County Announcements of Business Investment Program Grants
2014 Relocations and Expansions per the Business Investment Program
Department Information (LUESA Code Enforcement and Park and Recreation)
County Supported Events and Attractions
 Cultural Art Facilities
 ACC Championship
 CIAA Tournament
 NASCAR Hall of Fame
 Belk Bowl
Economic Partners

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake requested a hard copy of the statistics given around the top five conventions held in 2014.

Commissioner Leake noted the amount of tax revenue generated as a result of the CIAA Tournament being held in Charlotte/Mecklenburg County, \$1.6 million (County Taxes collected from direct spending)

Commissioner Dunlap noted the total economic impact of the CIAA Tournament which was \$46.92 million and direct spending \$28.73 million.

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Commissioner Dunlap said he hoped at budget deliberation time, the Board would take into consideration, as it related to funding requests for various events, the total economic impact of that event coming to Charlotte/Mecklenburg County.

Commissioner Dunlap suggested going forward that any Economic Development Annual Report include the names of the committee members and who served as chair.

Commissioner Scarborough asked had any information been received regarding alleged restaurant and hotel price gouging during the CIAA Tournament.

Assistant County Manager Johnson said she was informed with respect to hotel prices, that rates were negotiated between the hotel and CIAA management.

Assistant County Manager Johnson said it was her understanding that the CIAA received a certain percentage of the rate proceeds that goes to its scholarship fund. Assistant County Manager Johnson said she would work on getting that information from the appropriate source in writing and would share it with the Board.

Commissioner Scarborough said getting written confirmation would be very helpful, because there were people who believed it was the City and Mecklenburg County that had something to do with the hotel rates. She said having something in writing would allow she and others to rebut that accusation.

Assistant County Manager Johnson said she did not make an inquiry regarding restaurants.

Commissioner Scarborough said she heard also that during the CIAA Tournament that some restaurants were charging a cover charge.

Commissioner Scarborough said she did not want Charlotte/Mecklenburg to be perceived in that way. She suggested contact be made with the Hospitality Industry to determine if any of these things occurred.

Commissioner Dunlap said the issues raised by Commissioner Scarborough were also concerns of his.

Commissioner Dunlap said if the CIAA was involved in the hotel rate negotiations, then the CIAA needed to share that information with the public.

**(15-2530) REPORT ON RECRUITING AND RETAINING EMPLOYEES IN MECKLENBURG COUNTY
DEPARTMENT OF SOCIAL SERVICES**

The Board received a report from staff regarding Recruiting and Retaining Employees in Mecklenburg County Department of Social Services.

Peggy Eagan, Director, Department of Social Services gave the report, which was an overview of recommendations from the UNC Charlotte Recruitment and Retention Study for Department of Social Services. The following was covered:

- Background as it related to the study
- Literature Review
- Focus Groups
- Conclusion and Recommendations

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A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Dunlap said it was a good report, but that he was a little disappointed that some of the things recommended were not already being done by the County. He noted as an example the possibility of a pay increase for an employee that earned a degree while working for the County.

Commissioner Dunlap said he liked Buncombe's County's recruitment strategy of recruiting persons that were already experienced and well trained by other counties and offering them a higher salary to come and work for them.

Commissioner Dunlap said he looked forward to seeing what staff would implement, per the study.

Commissioner Cotham asked about the cost of the study. *County Manager Diorio said the cost of the study was \$14,963.00.*

Commissioner Cotham questioned why recruiters weren't asked to conduct this type of study.

Commissioner Leake asked had a job fair been held. *Director Eagan said yes.*

Commissioner Leake asked about the success of the job fair that was held, which was addressed by Deputy County Manager/Chief of Staff Chris Peek.

Commissioner Leake requested a report of the results the job fair that was held last fall with respect to number of persons hired, broken down by gender.

Commissioner Leake asked about college recruitment, which was addressed by Director Eagan.

Commissioner Leake asked about recruitment from Johnson C. Smith University. *Director Eagan said the department had a close relationship with Johnson C. Smith University.*

Commissioner Leake suggested that other institutions be considered, along with UNC-Charlotte for conducting studies.

Commissioner Leake asked about caseloads, which Director Eagan addressed.

Commissioner Leake asked about the availability of funding for hiring, which Director Eagan addressed.

Commissioner Leake asked about meetings with staff, particularly supervisors, which Director Eagan addressed.

Commissioner Leake asked if there were any supervisors in the department who had foster children in their personal care. *Director Eagan said to her knowledge there were no supervisors or managers with foster children from Mecklenburg County. She said what's not known was whether there may be some with foster children from other counties.*

Commissioner Scarborough asked about halfway houses where children were taken and the level of education of persons working there. *Director Eagan said she was not aware of halfway houses for children. She said there was a*

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runaway homeless shelter in Mecklenburg County and that it was her understanding all employees were required to have a college degree and extensive training.

Chairman Fuller thanked Director Eagan for her report.

Commissioner James left the meeting and was absent for the remainder of the meeting.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2520) AUDIT REVIEW COMMITTEE REPORT – ITEM WAS REMOVED FROM THE AGENDA

Commissioner Dunlap left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to approve the following item(s):

(15-2480) TAX REFUNDS

Approve refunds in the amount of \$6,430.79 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$631,174.36 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2496) MINUTES

Approve Minutes of Regular meeting held April 7, 2015 and Closed Session held April 7, 2015 and February 19, 2015.

(15-2510) CONSTRUCTION MANAGER @ RISK SELECTION – MEDIC HEADQUARTERS AND OPERATIONS FACILITIES RELOCATION

Authorize the County Manager to negotiate a fee and execute contracts with Edifice Construction for Pre-Construction and Construction Management @ Risk services for the MEDIC Headquarters and Operations Facilities Relocation and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Lend Lease.

(15-2515) CAPITAL RESERVE EXPENDITURE -- MCDOWELL NATURE PRESERVE (PARK AND RECREATION)

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Appropriate expenditure of up to \$6,225 from the Outdoor Recreation Nature Preserves and Natural Resources Capital Reserve Fund to replace all ten (10) kayaks in the McDowell Nature Preserve outdoor recreation program.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2502) GRANT APPLICATION -- DUKE ENERGY WATER RESOURCES FUND

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to:

1. Authorize the County Manager to submit a grant application in the amount of up to \$100,000 to The Duke Energy Water Resources Fund administered by The North Carolina Community Foundation; and
2. Authorize the Chairman to execute the authorization to file the application and enter into grant contracts with The North Carolina Community Foundation; and recognize, receive and appropriate the amount of the award when received; and
3. Authorize and carry forward unspent project funds to subsequent years until completion of the project.

Note: Funds will be used to install an outdoor learning environment that highlights the historic, cultural, and economic importance of the Catawba River. Using a custom built application and displaying information on two (2), 55-inch digital touch tables capable of accommodating multiple users, participants will be able to access real-time water quality information, be actively warned if bacteriological levels in the river exceed recommended human contact levels, and engage in learning about the Catawba River, including the unique plant and animal life of the region. Charlotte-Mecklenburg relies on the Catawba River for its drinking water supply with an average withdrawal of 100,000,000 gallons of water a day.

Commissioner Leake removed this item from Consent for more public awareness. LUESA Director Ebenezer Gujjarlapudi addressed the grant application.

(15-2511) CONSTRUCTION MANAGER @ RISK SELECTION -- RELOCATION OF LAND USE AND ENVIRONMENTAL SERVICES AGENCY AND VALERIE C. WOODARD RENOVATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to authorize the County Manager to negotiate a fee and execute contracts with Rogers/Leeper for Pre-Construction and Construction Management @ Risk services for Land Use and Environmental Services Agency (LUESA) and Woodard Center Relocation and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Messer/Miles McClellan Construction.

Commissioner Leake removed this item from Consent for more public awareness. Asset & Facility Management Director Mark Hahn addressed the item.

Commissioner Dunlap returned to the dais.

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(15-2512) GRANT APPLICATION -- 2015 US TENNIS ASSOCIATION OF NC 10 AND UNDER EQUIPMENT GRANT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to approve a \$1,200 grant application for a United States Tennis Association (USTA) of North Carolina matching grant to purchase youth tennis equipment; and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed the grant application.

(15-2514) CAPITAL RESERVE EXPENDITURE -- IMPROVED SOCCER FIELDS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to appropriate expenditure of up to \$33,000 from the improved soccer field capital reserve fund to complete the rehabilitation of soccer fields at Colonel Francis Beatty Park and McKee Road Park.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2521) GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE

Amend FY2015 Authorization Government Facilities Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2015 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2015 Authorization Government Facilities Capital Project Ordinance as amended December 16, 2014*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 21st DAY OF April 2015.

Sections I and II are amended as follows:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Government District Renovations	(\$9,430,000)
LUESA Relocation	(\$21,000,000)
Community Corrections Relocation	(\$16,720,000)
Board of Election Renovation	(\$1,495,000)
Child Support Enforcement Relocation to Woodard Ctr.	(\$8,825,000)
Energy Upgrades	(\$1,772,237)

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including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$59,242,237 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

2014-2015 fiscal year	\$50,188,974
2015-2016 fiscal year	8,459,983
2016-2017 fiscal year	593,280

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2522) GRANT APPLICATION -- BJA SECOND-CHANCE ACT TWO-PHASE ADULT REENTRY DEMONSTRATION PROGRAM (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to 1) approve the submission of a grant application for funding in the amount of \$1,000,000 over three years from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA); and if awarded, recognize, receive and appropriate such funds for the grant period; and 2) If awarded, establish two Criminal Justice Case Managers positions in Criminal Justice Services beginning July 1, 2016 (years Two and Three).

Commissioner Leake removed this item from Consent for more public awareness. Hope Marshall with Criminal Justice Services addressed the grant application.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:45 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 5, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2533, 15-2539, 15-2546, 15-2551, 15-2552, 15-2555, and 15-2556 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

(15-2548, 15-2569) CLOSED SESSION – CONSULT WITH ATTORNEY AND BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Business Location and Expansion.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 6:01 p.m.

Commissioners Dunlap and Puckett were present when the Board came back into Open Session. They entered the

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meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Puckett and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Commissioner Dunlap took a point of personal privilege to recognize National Law Enforcement Week. He thanked all members of law enforcement for their service to the community.

AWARDS/RECOGNITION - NONE

(15-2545) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Charles Suter, James Snyder, Mike Steinberg, and Vallee Bubak spoke in opposition to the I-77 Toll Road. They asked the Board to pass a resolution like the Town of Cornelius opposing the I-77 Toll Road and asking Governor McCrory to take a “step back” before moving forward. They said a toll road in this area was not a good idea because of the following: 1) I-77 was an evacuation route for the two nuclear power plants, 2) the cost to build it, 3) the cost on the user, and 4) the cost of goods and services would increase as a result of the trucking industry and others that deliver goods and services, costs being increased as a result of having to use the lane.

Kamau Suttles said he was speaking on behalf of Sherry Suttles, a former Assistant County Manager for Mecklenburg County and for her Gulla Geechee Group, a nonprofit organization. Mr. Suttles said he, too, was opposed to the toll road. He also addressed, what he referred to as “civil rights” violations that he experienced after being stopped for traffic violations. He accused the police and sheriff deputies of harassing Blacks and the Latino community. He asked that police patrolling South Boulevard be investigated. Mr. Suttles concluded by saying he was a film producer.

APPOINTMENTS

(15-2563) APPOINTMENTS

BICYCLE COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Bicycle Committee:

Debra Franklin	Commissioners Fuller, Leake, and Scarborough
Donald Pomeroy	Commissioners Clarke, Cotham, Dunlap, James, Puckett, and Ridenhour
	Voting Ceased
Heather Seagle	

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Chairman Fuller announced the appointment of Donald Pomeroy to the Bicycle Committee for a three-year term expiring March 31, 2018.

He replaces Nathaniel Morrill, who failed to meet the attendance requirement for 2014.

BOARD OF MOTOR VEHICLE REVIEW

The vote was taken on the following nominee for appointment consideration to the Board of Motor Vehicle Review:

Warren Neff Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chairman Fuller announced the appointment of Warren Neff to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2016.

He replaces John Kral, who relocated out of Charlotte.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

(15-2544) 2015 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM ANNUAL REPORT

The Board received the annual report of the Mecklenburg County Child Fatality Prevention and Protection Team.

A copy of the report is on file with the Clerk to the Board.

Marni Eisner, Chair of Mecklenburg County Child Fatality Prevention and Protection Team gave the report. She was joined at the podium by Libby Safrit, Executive Director of Teen Health Connection.

Note: § 7B-1406. Community Child Protection Teams; Child Fatality Prevention Teams; creation and duties.

(a) Community Child Protection Teams are established in every county of the State. Each Community Child Protection Team shall:

- (1) Review, in accordance with the procedures established by the director of the county department of social services under G.S. 7B-1409:
 - a. Selected active cases in which children are being served by child protective services;
- and
- b. Cases in which a child died as a result of suspected abuse or neglect, and
 - 1. A report of abuse or neglect has been made about the child or the child's family to the county department of social services within the previous 12 months, or
 - 2. The child or the child's family was a recipient of child protective services within the previous 12 months.

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(2) Submit annually to the board of county commissioners recommendations, if any, and advocate for system improvements and needed resources where gaps and deficiencies may exist. In addition, each Community Child Protection Team may review the records of all additional child fatalities and report findings in connection with these reviews to the Team Coordinator.

The following areas of concern were highlighted:

- Mental Health Needs of Adolescents
- Safe Sleep for Infants
- Motor Vehicle Injuries
- Domestic Violence

The Board was encouraged to:

- Support the Department of Social Services with a budget increase, so additional social workers could be hired, which would help reduce the caseload per social worker to a more manageable amount
- Help the Department of Social Services with the development of a strategic plan for recruitment and retention
- Increase the number of school counselors within CMS

A copy of the report is on file with the Clerk to the Board.

Comments

Chairman Fuller asked about the suicide rate, the need for mental health support through the school system and additional financial support for the Department of Social Services, which were addressed.

Ms. Safrit said a lot of it had to do with reducing the stigma that's related to mental health issues.

Commissioner James asked about the percentage of fatalities (total deaths for the community) by race. *The presenters said they would provide that breakdown by fatality type.*

Commissioner Leake commented on the need and role of school counselors.

Commissioner Leake addressed school nurses. She said collaboration was needed between the school nurse and school counselor.

Commissioner Ridenhour addressed the issue of bullying, based on his own experience as a middle school student.

Commissioner Ridenhour asked what had changed, since the time he was in middle school until now, that has prompt and/or promoted teen suicide and/or self-injury. *The response was social media.*

Commissioner Ridenhour said his "heart goes out" to kids in that type of situation.

Commissioner Scarborough said the issue of school counselors and their role in the school should be a topic of discussion when the Board meets with the Board of Education.

Commissioner Cotham commented on two children that she had met and they later died. She specifically addressed the issue of drowning and the importance of all children knowing how to swim. Commissioner Cotham

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suggested this as a possible topic for the Board's Health and Human Services Committee, along with the County's Park and Recreation Department.

Commissioner Cotham said the responsibility for addressing the types of issues addressed in the report fell on everyone and not just the school system.

Commissioner Clarke complimented the State for establishing the Child Fatality Prevention and Protection Team concept, as well as, the late Larry King, a strong local advocate for this issue.

Commissioner James addressed the importance of parent(s) regulating their children's on-line activity and the use of their cell phones.

Commissioner James suggested children under the age of 16 not be allowed on twitter or facebook and those that are, be required to befriend the parent or a teacher.

Commissioner James said perhaps the County, via DSS' role in the lives of children, could establish rules for children in foster care and those adopted, that were under the care of County, that their guardian(s) be required to monitor their on-line activity and other access to social media.

Commissioner James said solutions were needed regarding how children access social media.

Chairman Fuller acknowledged and addressed the impact of social media on the lives of children. He said the Board should be more intentional about following through on the recommendations brought forth the by Child Fatality Prevention and Protection Team. He thanked the presenters for the report.

MANAGER'S REPORT – NONE

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2508) HEALTH AND HUMAN SERVICES COMMITTEE UPDATE

The Board received information on the Community Health Assessment Action Plans. Commissioner Leake, chair of the Board's Health and Human Services Committee asked Health Director, Dr. Marcus Plescia to come forward and give the report.

Note: The Plans cover the following areas: Chronic Disease, Mental Health, Access to Care and Violence Prevention

A copy of the report is on file with the Clerk to the Board.

Commissioner Leake thanked Dr. Plescia. She said the Action Plans were all about "prevention."

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(15-2520) AUDIT REVIEW COMMITTEE REPORT

Commissioner Ridenhour, chair of the Board's Audit Review Committee, gave the annual report of the Audit Review Committee. The following was noted:

- The Audit Review Committee fulfilled its responsibilities as outlined in its charter, which includes the oversight of the County's fiscal operations, system of internal controls, the audit process and the compliance process.
- This past year the Committee received regular reports from the County's Internal Audit Director and the Chief Compliance Officer. The reports addressed the County's Fraud Hotline, the County's enterprise risk activities, and recommended changes to the County's Ethics Policy.
- The Committee selected the public accounting firm of Cherry Bekaert for the County's external financial audit. Their report was presented in December of 2014.

Commissioner Ridenhour thanked the members of the Audit Review Committee for their participation, as well as, staff that supported the Committee.

(15-2568) POVERTY VS. COST OF LIVING (COMMISSIONER LEAKE)

At the request of Commissioner Leake, the Board received information from Rev. Dr. Jerry Cannon on the community's cost of living issues.

Dr. Cannon addressed the definition of a living wage. He expressed concern for local government employees and their ability to earn a living wage. Dr. Cannon said it was brought to his attention by Commissioner Leake that there were County employees who were having to receive assistance through the Department of Social Services.

Dr. Cannon said he wanted to advocate for those individuals. He said he did not have a solution, but hoped the Board would review this matter.

Dr. Cannon said it "gives a mixed signal" when you have County employees receiving public assistance, because their salary was not sufficient enough to provide the basic needs of their family.

Commissioner Leake addressed the importance of persons earning a living wage.

Commissioner Dunlap said the Board received information regarding a living wage, as well as, information on those employees that were receiving public assistance.

Commissioner Dunlap said there were other factors that had to be taken into consideration, as to why public assistance was needed, such as the number of persons living in the household and whether or not there were two incomes coming in.

Commissioner Dunlap said it was his understanding that all County employees were being paid a livable wage, which was confirmed by Deputy County Manager/Chief of Staff Chris Peek.

Commissioner Leake said her concern was for anyone with children, employed with the County, not making \$24,000 annually, and receiving public assistance.

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Commissioner Leake said she wanted to make sure County employees were paid a “decent” salary, so that they could take care of their family. Her desire was that the County do whatever it could to assist these employees to elevate themselves and as a result, they would no longer need to receive public assistance.

Commissioner Ridenhour asked were there full-time employees making less than \$10.00 per hour. *Deputy County Manager/Chief of Staff Chris Peek said the lowest paid full-time employee made \$11.51 per hour.*

Commissioner Ridenhour said \$11.51 per hour was more than what’s considered the livable wage. *Deputy County Manager/Chief of Staff Chris Peek said that was correct for one adult in the household. Deputy County Manager/Chief of Staff Chris Peek said he had no idea of the household make-up of the employees that were receiving public assistance.*

Commissioner Ridenhour said the County was not responsible for the personal decisions of employees. He said the County paid a livable wage. He said if an employee was having to seek public assistance, it’s because of personal circumstances. He said the County could not compensate someone differently because of their personal circumstances.

Commissioner Cotham said the County paid its employees a livable wage and also provided opportunities for advancement and training opportunities.

Commissioner Clarke spoke briefly about earning a livable wage and the impact on everyone as a community, when there were persons, who for whatever reason or circumstance, didn’t earn enough to sustain themselves.

Commissioner Clarke said the important thing about the concept of a livable wage was that it helped you to understand that if you have one adult, a single parent, and two children, that in order to pay the basic expenses associated with that, they have to make more money.

Commissioner Clarke said that didn’t mean the County had to pay them more, because it’s possible that they lack the knowledge, skill set, or education that would allow them to earn more.

Commissioner Clarke said it should be everyone’s goal, however, to try and help everyone, whatever their circumstances were, to earn livable wage. He said at the “end of the day” it would benefit everyone.

Commissioner Puckett said County employees were well compensated with benefits included.

Commissioner Leake said her intent was not say the County was “fostering” poverty, but rather she wanted to bring the issue of a livable wage up because the lack, thereof, contributed to poverty.

Commissioner Leake thanked Dr. Cannon for coming.

Chairman Fuller thanked Dr. Cannon also for coming. He said the issue of a livable wage was a bigger issue than what’s occurring with these employees.

Chairman Fuller said the question was “not whether or not there’s a living wage, because there is one.” He said the issue of poverty and economic deprivation was “not just a problem for the poor,” but for “all.” He said we all “pay a price.” He said the question was whether we “pay on the front end or the back end,” through Social Services, emergency rooms, prison time, etc. Chairman Fuller said that’s the question as a community. Chairman Fuller said the Opportunity Task Force was addressing this issue.

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Commissioner James asked was there any connection with this and interest that's out there to increase the minimum wage.

Chairman Fuller said from his perspective, as a community, we're "exploring" to see what the problem was. Where we were as a community? What solutions needed to be adopted to move us to a different place?

Commissioner James said he wasn't sure how you solve the issue of a living wage and reach that "equity" that's been talked about.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2472) PROCLAMATION -- INTERNATIONAL INTERNAL AUDIT AWARENESS MONTH

Adopt a proclamation designating May 2015 as International Internal Audit Awareness Month in Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2500) PROCLAMATION -- FOSTER CARE AWARENESS MONTH

Adopt a proclamation designating May 2015 as "Foster Care Awareness" Month in Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2523) RETIRE CANINE OFFICER MAJOR -- SHERIFF'S OFFICE

Retire and approve the donation of a retired Canine Officer Major to a Mecklenburg County Sheriff's Office Deputy Sheriff.

Note: This action allows the Mecklenburg County Sheriff's Office (MCSO) to retire and transfer ownership of Canine Officer Major to a MCSO Deputy Sheriff. The Canine Officer performed his duties faithfully and diligently. However, due to his deteriorating health, it has been recommended that he be retired at this time. The Canine Officer was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps in an aggressive manner as a result of such training. Therefore, the Canine Officer presents a risk to general public health and safety if presented for sale to or adoption by the general public, who are unfamiliar with the specialized training the Canine Officer received. Such risk to public health and safety is not present when the Canine Officer is transferred to the care and keeping of an MCSO Deputy. This allows each Canine Officer to retire to a familiar environment in the care of an MCSO Officer very familiar with their training, and permits an ownership transfer of the Canine Officer that does not endanger public health and safety.

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(15-2526) CONTRACT AWARD -- QUEEN CITY METAL RECYCLING & SALVAGE, LLC

Authorize the County Manager to negotiate and execute a three (3) year contract with two possible one-year renewals, between Mecklenburg County and Queen City Metal Recycling & Salvage, LLC for the sale of scrap metal, propane tanks and automotive batteries.

(15-2537) SET PUBLIC HEARINGS -- CITY OF CHARLOTTE AND THE TOWN OF PINEVILLE STORM WATER FEES

Set public hearings for 6:30 pm on Tuesday, May 19, 2015, on proposed changes in the Minor System component of the City of Charlotte's and the Town of Pineville's Storm Water fees.

(15-2538) MECKLENBURG COUNTY AND TOWN OF MATTHEWS' STORM WATER INTERLOCAL AGREEMENT

Adopt the RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED STORM WATER MANAGEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF MATTHEWS.

**RESOLUTION AUTHORIZING EXECUTION OF THE
AMENDED AND RESTATED STORM WATER MANAGEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN
MECKLENBURG COUNTY AND TOWN OF MATTHEWS**

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the "Mecklenburg County – Storm Water Management Plan" which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which Plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, "Interlocal Cooperation Authorized," authorizes units of local governments to enter into agreements with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County and the Town of Matthews (the "Town") have negotiated and wish to amend and restate the Storm Water Management Plan Interlocal Agreement to manage a storm water management program that deals with the operation and maintenance of the storm water drainage system within the Town; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the Chairman of the Board of Commissioners is hereby authorized and directed to execute the Amended and Restated Storm Water Management Plan Interlocal Agreement between the County of Mecklenburg and the Town of Matthews in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

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Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2540) MECKLENBURG COUNTY AND TOWN OF PINEVILLE'S STORM WATER INTERLOCAL AGREEMENT

Adopt the RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED STORM WATER MANAGEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF PINEVILLE.

**RESOLUTION AUTHORIZING EXECUTION OF THE
AMENDED AND RESTATED STORM WATER MANAGEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN
MECKLENBURG COUNTY AND TOWN OF PINEVILLE**

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the "Mecklenburg County – Storm Water Management Plan" which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which Plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, "Interlocal Cooperation Authorized," authorizes units of local governments to enter into agreements with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County and the Town of Pineville (the "Town") have negotiated and wish to amend and restate the Storm Water Management Plan Interlocal Agreement to manage a storm water management program that deals with the operation and maintenance of the storm water drainage system within the Town; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the Chairman of the Board of Commissioners is hereby authorized and directed to execute the Amended and Restated Storm Water Management Plan Interlocal Agreement between the County of Mecklenburg and the Town of Pineville in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2543) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from Cecilia and Jose Rosario, owners of property at 3821 Winfield Drive (Tax Parcel 131-102-07) for \$134,000; and

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the Winfield Drive structure for training exercises; and

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Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2547) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$723 for Park and Recreation; \$7,444 for Asset and Facility Management; \$892 for Information Technology and \$819 for Land Use and Environmental Services.

Note: All reimbursements are for stolen and damaged items.

(15-2549) MINUTES

Approve Minutes of Regular meeting held April 21, 2015 and Closed Session held April 21, 2015.

(15-2550) LITTLE SUGAR CREEK GREENWAY -- NCDOT GRANT

Approve Mecklenburg County as a recipient of an additional NCDOT grant in the amount of \$1,696,240 to construct Little Sugar Creek Greenway from Archdale Road to Huntingtowne Farms Park; and

Authorize the County Manager to negotiate and execute the supplemental grant agreement; and

If awarded, recognize and appropriate awarded amount for the grant period; and

Approve the use of Federal DBE special provisions for bidding, instead of the County M/W/SBE provisions, as required in order to obtain NCDOT grant funding.

(15-2553) BUDGET AMENDMENT -- CRIMINAL JUSTICE SERVICES (REVENUE/EXPENSE INCREASE)

Recognize, receive and appropriate funds in the amount of \$6,475 in donations and sponsorships for the Drug Treatment Court 20th Anniversary Gala that was held on April 18, 2015.

(15-2557) NAMING REQUEST -- ROZZELLE'S FERRY NATURE PRESERVE

Approve the naming of parcels 023-301-01 and 023-301-02 as Rozzelle's Ferry Nature Preserve.

Note: Parcels 023-301-01 and 023-301-02 are along Hwy. 16 at the Catawba River.

(15-2562) TAX REFUNDS

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Approve refunds in the amount of \$213,324.46 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2533) PROCLAMATION -- OLDER AMERICANS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating May 2015 as "Older Americans Month" in Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2539) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional Medicaid Revenue in Children's Developmental Services Agency (CDSA) in the amount of \$83,664.

Note: The Medicaid revenue increase of \$83,664 will be used to cover the purchase of three (3) new county vehicles plus gas, oil and GPS costs for a total of \$53,664. (\$17,888 per car). Three (3) cars have been decommissioned and five (5) or more have been placed at other sites this year. In addition, \$30,000 will be used to cover interpreting costs due to an increase in the number of non-English speaking families.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2546) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate a net increase in revenue in the amount of \$10,823 from state and federal funding.

Note: The NC Department of Health and Human Services (NC DHHS) has awarded the Health Department a net increase of \$26,525 in State funds and a reduction of \$121 in federal funds.

The Local Mecklenburg Partnership for Children Smart Start program has reduced funding in the amount of \$15,581 due to a staff vacancy within the program.

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Commissioner Leake removed this item from Consent for more public awareness.

(15-2551) CONSTRUCTION CONTRACT -- FRIENDSHIP SPORTS COMPLEX

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Sossamon Construction Company, Inc. in the amount of \$1,393,000 for the construction of Friendship Sports Complex, approved in the FY2014 Capital Projects allocation. .

Note: This contract is for the construction of Friendship Sports Complex, approved in the FY2014 Capital Projects allocation. The project site is located in Charlotte, NC on property leased from Friendship Missionary Baptist Church near Beatties Ford Road. Project design includes open space, parking lots, restroom/storage/dry concession building, two men's softball athletic fields, site furnishings, landscaping and other amenities.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2552) NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) -- "PARKS BUILD COMMUNITY" GRANT AWARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes to recognize, receive and appropriate a \$20,000 grant award from the NRPA "Parks Build Community" initiative to improve a County park to be determined by public online voting.

Note: The project for which the funds will be used will be determined by the results of a public on-line voting process through the "Parks Build Community" website managed by the NRPA. Voting concludes on April 30, 2015. There are three projects for voters to select from:

- 1) Community Garden - Druid Hills Park*
- 2) Beginner Skate Park - Grayson Park*
- 3) Nature Play Area Enhancement - Reedy Creek Nature Preserve*

Commissioner Leake removed this item from Consent for more public awareness.

(15-2555) LICENSE AGREEMENT AMENDMENT -- JOHNSON & WALES UNIVERSITY/FRAZIER PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a resolution declaring intent to amend the existing license agreement with Johnson & Wales University (JWU) for athletic field use, improvement and enhanced maintenance program at Frazier Park.

Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2556) BUDGET AMENDMENT -- DSS (REVENUE INCREASE/DECREASE)

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Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend the Department of Social Services (DSS) FY15 Budget to decrease certain revenue and recognize, receive and appropriate other revenues to align the FY15 DSS budget with the funding authorizations issued

A. Child Care Subsidy: increase \$49,961 federal revenue and \$7,007 state revenue

B. Medicaid Transportation: increase \$180,000 federal revenue and \$70,000 state revenue

C. Low Income Energy Assistance Program (LIEAP): decrease federal revenue \$2,669,193

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:26 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 19, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Puckett and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2575, 15-2581, 15-2582, 15-2585, 15-2586, 15-2587, 15-2588, and 15-2589 to be removed from Consent and voted upon separately.

(15-2594) STAFF BRIEFINGS - LAW ENFORCEMENT SERVICE DISTRICT UPDATE

The Board received a briefing on the Law Enforcement Service District. Michael Bryant, Director, Office of Management and Budget gave the update.

Commissioner Puckett entered the meeting during this time.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner James commented on the combined tax rates of those living in the unincorporated area.

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Commissioner James said the combined rates were almost reaching the actual tax rate of those living in the towns.

Commissioner James said the “flaw” with the current process was that Charlotte’s Law Enforcement Service District Model was an urban model with “extremely” high costs because of the police demands in the inner city.

Commissioner James said thus, the cost per capita was higher and as a result that costs was passed on to those in the suburbs.

Commissioner James said a different approach was needed. Commissioner James said the Towns’ law enforcement should provide services to these areas and not the City of Charlotte’s Police Department.

Commissioner Puckett said the cost and the level of service was not equal. He said the service level of the Charlotte-Mecklenburg Police Department was “all but non-existent.”

Commissioner Dunlap said there should be a way to calculate what City of Charlotte residents pay for police services and that County residents should at pay at least that amount and not more than that.

Commissioner Clarke asked if the N.C. General Assembly placed restrictions on the City of Charlotte’s annexation ability. *The response was yes.*

Commissioner Ridenhour entered the meeting.

(15-2578, 15-2579) CLOSED SESSION – CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel 173-083-01.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Land Acquisition.

The Board went into Closed Session at 5:32 p.m. and came back into Open Session at 5:55 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Puckett, and Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Commissioner Clarke was absent when this portion of the meeting was called to order and until noted in the minutes.

Commissioner Ridenhour asked for a point of personal privilege to acknowledge May 20th as Meck Dec Day in Mecklenburg County in recognition of the Mecklenburg Declaration of Independence from the British Crown

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signed on May 20, 1775. May 20, 2015 is the 240th anniversary of the signing of the Mecklenburg Declaration of Independence.

Commissioner Clarke entered the meeting.

AWARDS/RECOGNITION

(15-2499) CHARLOTTE-MECKLENBURG STORM WATER SERVICES VOLUNTEER RECOGNITION

The Board recognized and thanked volunteers involved in protecting and restoring water quality conditions in Charlotte-Mecklenburg.

Rusty Rozzelle, Water Quality Program Manager and Deania Russo, Volunteer Coordinator addressed the volunteer program and acknowledged volunteers that were present.

Note: Charlotte-Mecklenburg Storm Water Services (CMSWS) has five (5) volunteer programs that engage citizens in activities to protect and restore the quality and usability of Mecklenburg County's valuable surface water resources. The programs are

1. **Adopt-A-Stream Program:** *Volunteers are assigned a section of stream that they walk a minimum of twice a year removing trash and debris. The volunteers also document pollution problems that are turned over to County staff for elimination. Since 2000, volunteers have completed 1,156 stream cleanups and removed over 138 tons of trash from the County's waterways.*
2. **Storm Drain Marking Program:** *Volunteers place markers on storm drain hoods that read "Do Not Dump, Drains To Creek" in both English and Spanish. This serves as a valuable educational tool for preventing illegal dumping of waste oil, paint and other pollutants down these drains, which negatively impacts water quality. Since the Storm Drain Marking Program began in 2003, volunteers have marked over 21,000 storm drains in Charlotte-Mecklenburg.*
3. **Volunteer Monitoring:** *This is a new volunteer program that is gaining popularity. This program includes the collection of qualitative and quantitative water quality data by volunteer groups along specific stream segments at a minimum of 10 times during the year for the purpose of assessing local stream health. This encourages students, teachers, and citizens to get to know the surface waters near them. Data is reported to staff for the initiation of actions necessary to identify and eliminate pollution sources. Since the program began in 2009, thirteen (13) groups have volunteered to participate.*
4. **Big Sweep:** *BIG SWEEP is an annual, statewide event held on the first Saturday in October that calls volunteers to action to remove trash and debris from creeks, lakes and rivers. For the past 20 years, Mecklenburg County has been an active participant in this event, which has involved thousands of volunteers in the removal of over 315 tons of trash from our waterways.*
5. **Creek ReLeaf:** *One of our most popular volunteer programs is Creek Releaf, which is a collaborative effort with CPCC and the Sierra Club to plant trees in floodplains and stream buffers in Mecklenburg County. These trees filter pollutants and help protect water quality. Since its inception in 2008, over 3,400 volunteers have planted over 14,000 tree seedlings and live stakes in the McDowell Creek, Irwin Creek and Little Sugar Creek Watersheds.*

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(15-2574) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Martin Davis, representing the Charlotte Tea Party, addressed the “tax burden on the citizens of Mecklenburg County.” He asked the Board to cut the size of government and to cut spending.

APPOINTMENTS

(15-2583) NOMINATIONS/APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Cleveland Edwards and Earl Leake to the Alcoholic Beverage Control Board for three-year terms expiring June 30, 2018, effective July 1, 2015.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Wilhelmenia Rembert to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2019, effective July 1, 2015.

JURY COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Carla Brafford to the Jury Commission for a two-year term expiring June 30, 2017, effective July 1, 2015.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Monica Shelton to the Nursing Home Community Advisory Committee for a one-year term expiring May 31, 2016.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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nominate and appoint Courtney Rhodes and Zhiviaga Williams to the Women's Advisory Board for three-year terms expiring April 30, 2018.

They replace Heather Blake, who resigned and Sarah Paris, who declined reappointment.

PUBLIC HEARINGS

(15-2570) PUBLIC HEARINGS -- STORM WATER FEES - CITY OF CHARLOTTE AND THE TOWN OF PINEVILLE

CITY OF CHARLOTTE

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open a public hearing to hear comments related to proposed changes in the City of Charlotte's storm water fees.

No one from the public appeared to speak.

Note:

The City of Charlotte - Detached Single Family Properties (per month):

- *Tier I - no change proposed, would stay at \$5.52*
- *Tier II - no change proposed, would stay at \$8.13*
- *Tier III from \$8.13 to \$12.04*
- *Tier IV from \$8.13 to \$19.91*

The City of Charlotte - Non-Single Family Properties (per month)

The per acre fee would increase from \$135.56 to \$143.73

Dave Canaan, Director of Water and Land Resources addressed this issue.

Comments

Commissioner James commented on the City of Charlotte's proposed rate changes, which he said were significant increases.

Commissioner Dunlap echoed Commissioner James' comment regarding the amount of the increase, but said per a meeting he attended recently, he now understood the need for having storm water fees. Commissioner Dunlap said it was also made clear, the consequences of not increasing the fees.

Commissioner Puckett asked whether storm water fees were used to fix the problem of water running across a property owner's property from upstream or from a parking lot. *Director Canaan said if the water came from a public street, yes. He said there were guidelines regarding this type of issue.*

Commissioner Puckett asked was it correct that churches pay storm water fees. *The response was yes.*

Commissioner Leake thanked Director Canaan for his work and for addressing the needs of those in District Two that had concerns.

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on proposed changes in the City of Charlotte's storm water fees.

TOWN OF PINEVILLE

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open a public hearing to hear comments related to proposed changes in the Town of Pineville's storm water fees.

No one appeared to speak.

Note:

The Town of Pineville - Detached Single Family Properties (per month):

- Tier I from \$1.42 to \$1.41
- Tier II from \$2.12 to \$2.04
- Tier III \$2.12 to \$2.91
- Tier IV from \$2.12 to 5.32

The Town of Pineville - Non-Single Family Properties (per month):

- The per acre fee would increase from \$35.34 to 37.46

Comments

Commissioner James addressed the proposed changes in the Town of Pineville's storm water fees.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on proposed changes in the Town of Pineville's storm water fees.

ADVISORY COMMITTEE REPORTS

(15-2566) PARK AND RECREATION COMMISSION ANNUAL REPORT

The Board received the annual report of the Park and Recreation Commission. Elaine Powell, Chair of the Park and Recreation Commission gave the report. She was joined at the podium by fellow members Kendel Bryant, Vice Chair, Charlie McRee, and Tristan McMannis.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Cotham asked about mile markers along greenways as a safety measure, in case of an emergency. *Ms. Powell said there was an emergency response plan, but she would have to follow-up and report back on the issue of mile markers.*

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Commissioner Clarke noted the value of the Park and Recreation Commission to the community as a whole.

Chairman Fuller thanked the Park and Recreation Commission for their report.

(15-2567) CHARLOTTE-MECKLENBURG COALITION FOR HOUSING BRIEFING

The Board received a briefing on the progress of the Charlotte-Mecklenburg Coalition for Housing (CMCH). Ken Szymanski, Chair of the Charlotte-Mecklenburg Coalition for Housing and Ashley Clark, researcher with UNC-Charlotte Urban Institute and Center for Social Capital gave the update. Information was provided regarding the 2015 Point In Time Count Report.

Note: Point In Time is a federally mandated collection by the U.S. Department of Housing and Urban Development regarding an unduplicated census of people experiencing both sheltered and unsheltered homelessness. There were 250 volunteers who located people experiencing homelessness in Mecklenburg County.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Ridenhour asked about the Point in Time Count (PIT) volunteers, which was addressed. He asked that going forward members of the Board be informed of when the PIT would be occurring. Commissioner Ridenhour said he would like to participate in the future.

Commissioner Dunlap thanked the presenters for the work that they do. He noted that there were other initiatives taking place as well with respect to combating the issue of homelessness.

Chairman Fuller thanked the presenters as well and noted the importance of individuals having a permanent place to live.

COUNTY COMMISSIONERS REPORTS & REQUESTS

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move up on the agenda, Item 15-2600 – Resolution I-77 Toll Road Contract.

Chairman Fuller asked was anyone present from the N.C. Department of Transportation, but no one was present.

Commissioner Clarke asked to be excused from participating in the discussion of Item 15-2600 – Resolution – I-77 Toll Road Contract to avoid a conflict of interest. Commissioner Clarke said he was informed recently by one of his law partners that a Boston law firm, that represents a large pension fund, that's considering investing in this project, had engaged his law firm to be their counsel on N.C. law matters.

Commissioner Clarke said it was an indirect interest with a potential investor in the project, since one of his partners was serving as N.C. counsel to the Boston law firm.

Commissioner Clarke said per a State Bar ethics ruling, he should not hear any matter coming before the Board if any member of his firm had any direct or indirect interest.

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to excuse Commissioner Clarke from participating in the discussion of Item 15-2600 – Resolution – I-77 Toll Road Contract to avoid a conflict of interest.

Commissioner Clarke left the dais and was away until noted in the minutes.

(15-2600) RESOLUTION -- I-77 TOLL ROAD CONTRACT

Commissioner Puckett presented a proposed resolution regarding the I-77 Toll Road Contract.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
REQUESTING DEFERRAL IN CLOSING
ON I-77 MOBILITY PARTNERS CONTRACT FOR I-77 HOT TOLL ROAD**

WHEREAS, the Final Draft of the Comprehensive Agreement between the North Carolina Department of Transportation (NCDOT) and I-77 Mobility Partners (the Developer) requires the NCDOT to compensate the Developer if any future interstate improvement results in a decrease in toll revenues along the planned I-77 HOT lane corridor; and

WHEREAS, the Comprehensive Agreement exempts improvements from this requirement if they are part of a transportation plan; and

WHEREAS, the Charlotte Regional Transportation Planning Organization added a project to widen interstate 77 from exit 28 to exit 36 with general purpose lanes to their transportation plan thereby exempting this improvement; and

WHEREAS, the executed Comprehensive Agreement changed the terms to specifically exclude additional general purpose lanes from exit 28 to exit 36 from this exemption; and

WHEREAS, neither town staffs nor the town boards of Huntersville, Cornelius, Davidson, and Mooresville were aware of this change and based on knowledge and belief CRTPO was not aware of this change; and

WHEREAS, this change effectively prevents I-77 from being widened with general purpose lanes for the 50 year duration of the Comprehensive Agreement; and

WHEREAS, the Comprehensive Agreement requires the Developer to post a substantial security to be forfeited if Developer fails to achieve financial close by the required time; and

WHEREAS, NCDOT and Developer have extended the financial close deadline three times via contractual amendments without financial penalty to Developer including forfeiture of the financial close security deposit; and

WHEREAS, the amendments require the financial costs incurred in extending the financial close security deposit to be borne by the taxpayer; and

WHEREAS, the Comprehensive Agreement is a binding 50-year contract with the potential to profoundly impact our

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region's transportation infrastructure, economic development and quality of life, now, therefore, be it

RESOLVED, *The Mecklenburg County Board of Commissioners lacking assurance that NCDOT's Comprehensive Agreement with the Developer is proper and appropriate in all material ways in the transparency and integrity of NCDOT's contracting process therefore respectfully requests a 90-day deferral of NCDOT's financial close with the Developer (currently scheduled for May 27, 2015) to allow for an independent review and audit of the Comprehensive Agreement terms and conditions. We further request in light of recent announcements regarding the possibility of a state bond referendum to finance numerous transportation projects that Governor Patrick McCrory seek an analysis into the possibility of including the I-77 project in the Connect NC bond proposal and/or the possible reduction in scope of the I-77 project to one that only adds general purpose lanes from south of exit 23 through exit 36 with funding via current sources or as an addition to the proposed Connect NC bonds.*

It was the consensus of the Board to hear from all persons that signed up to speak to this matter.

Commissioner James said information was received today from the North Carolina Department of Transportation indicating that the bonds for this project had been sold, thus there was funding for the project. Commissioner James said he wasn't sure if this was true or not, but he wanted to share that information.

The following persons spoke in support of the proposed resolution: Joe Larson, Michelle Ferlauto, Nils Lucander, Rob Kidwell (Huntersville Commissioner), Christian Hine, Jay Privette, Chuck Suter, Kurt Naas, Larry Abruzzesa, Vallee Bubac, Donavan Hubbard, and Vince Winegardner.

Comments

Commissioner Puckett said five years ago when this first came up, "we were in a completely different funding process, completely different economy, completely different legislature, different Governor and you could make the argument that this was the least objectionable way to do this."

Commissioner Puckett said today, however, "we find ourselves in an entirely different position," which was why he was asking the Governor and the Legislature, "to say time out, let's talk about where we are today." Commissioner Puckett said he understood that would cost some money but often decisions that cost money, ultimately save money in the "long run." Commissioner Puckett said the money should not be the issue.

Commissioner Puckett addressed I-77 from a historical perspective.

Commissioner Puckett also commented on the N.C. Department of Transportation's lack of communication with Officials in the Towns.

Commissioner James addressed his support of the proposed resolution.

Commissioner Dunlap addressed his support of the proposed resolution and his disappointment that no one from the N.C. Department of Transportation was present.

Commissioner Leake said she was supportive of the proposed resolution. She commended the citizens that spoke.

Commissioner Ridenhour addressed his support of the proposed resolution.

Commissioner Scarborough thanked the citizens that spoke for being involved in their community.

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Commissioner Cotham addressed the impact of this issue and others on the residents of north Mecklenburg. Commissioner Cotham expressed her disappointment with the N.C. Department of Transportation with respect to this issue.

Chairman Fuller thanked the speakers for coming and sharing their concerns and support of the proposed resolution.

Chairman Fuller expressed his disappointment with the N.C. Department of Transportation's response to questions raised by citizens.

Chairman Fuller said he was also concerned about the history of the company involved in the project.

Chairman Fuller addressed other concerns with the agreement the State was contemplating.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION REQUESTING DEFERRAL IN CLOSING ON I-77 MOBILITY PARTNERS CONTRACT FOR I-77 HOT TOLL ROAD.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

MANAGER'S REPORT

(15-2599) FINANCIAL UPDATE

The Board received a financial update through April 30, 2015. Financial Services Director Wanda Reeves gave the report.

Commissioner Clarke returned to the dais.

The following was addressed:

- General Fund Revenues
- General Fund Expenditures
- General Fund Fund Balance
- Debt Service Fund Revenue
- Debt Service Fund Expenditures
- Debt Service Fund Balance
- Combined Fund Balance

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Ridenhour asked about the increase in Fund Balance and the Debt Service Fund, which was addressed.

Commissioner Clarke asked for clarity regarding fund balance. Commissioner Clarke suggested that perhaps some of the fund balance could be used as a one-time expenditure for maintenance needs of CMS schools.

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Commissioner Puckett commented on fund balance. Commissioner Puckett said going forward the Board needed to begin looking at the amount of fund balance being accumulated.

Commissioner Puckett commented on CMS's deferred maintenance process.

Commissioner Puckett said although fund balance was plentiful, to always keep in mind "the storm is on the horizon" and that this probably was not the norm.

Commissioner Ridenhour said he applauded staff for its management of the fund balance, but there may come a time when the Board would need to decide that if fund balance was "healthy enough" where the County could look at returning some of the dollars or allocating them in other ways.

This concluded the discussion.

Chairman Fuller thanked Director Reeves for her report.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2573) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for May 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

(15-2595) FEATURE DEPARTMENT PRESENTATION: INTERNAL AUDIT

The Board received as information a report from Mecklenburg County's Internal Audit Department. Joanne Whitmore, Director, Internal Audit gave the report. It was an overview of Internal Audit services.

A copy of the report is on file with the Clerk to the Board.

Commissioner Cotham asked about staff certifications, which was addressed.

Chairman Fuller thanked Director Whitmore for the report.

STAFF REPORTS & REQUESTS - NONE

(15-2579) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a portion of tax parcel 173-083-01 (±15,777 square feet) for \$30,000 from Iglesia Tabernaculo de Bendicion, Inc.

Note: Acquisition of this property from Iglesia Tabernaculo de Bendicion, Inc. was consistent with the adopted 2008 Park and Recreation Master Plan as that plan calls for the expansion of the County's greenway system. This property was needed for the Little Sugar Creek Greenway trail, identified on the Park and Recreation Master Plan and has been designed to connect Marion Diehl Community Center and Park and Park Road Park to Huntingtowne Farms Park in south Charlotte and is approximately 2.3 miles long. Pedestrians will be able to access three parks and various residential neighborhoods in the area. All private land required for the project has been obtained except for a portion of the Iglesia Tabernaculo de Bendicion, Inc. property.

Commissioners Clarke and Dunlap left the dais and were away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2577) MINUTES

Approve Minutes of Regular meeting held May 5, 2015.

(15-2580) RECORDS RETENTION AND DISPOSITION SCHEDULES

Approve the Records Retention and Disposition Schedule dated October 10, 2012 superseded November 7, 2014 for the Register of Deeds Office and authorize the Board Chairman to sign the approval sheets; and

Approve the Records Retention and Disposition Schedule dated April 15, 2013 superseded November 7, 2014 for County Management and authorize the Chairman to sign the approval sheets.

Copies of the Records Retention and Disposition Schedules is on file with the Clerk to the Board.

(15-2584) BUDGET AMENDMENT -- CRIMINAL JUSTICE SERVICES (REVENUE/EXPENSE INCREASE)

Recognize, receive and appropriate \$5,800 in revenue received for Forensic Screening Evaluations.

(15-2597) PROCLAMATION -- BUILDING SAFETY MONTH

Adopt proclamation designating May 2015 as Building Safety Month in Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2602) PROCLAMATION -- MENTAL HEALTH MONTH

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Adopt a proclamation designating May 2015 as "Mental Health Month" in Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the meeting and was absent for the remainder of the meeting.

Commissioner Clarke returned to the dais.

(15-2575) LEASE AGREEMENT -- PEDIATRIC DENTAL PROGRAM

Motion was made by Commissioner Clarke, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a lease with Carolinas Healthcare System for dental office space for the Health Department's Pediatric Dental Program.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2581) LEASES -- GREENVILLE RECREATION CENTER AND POLICE ACTIVITIES LEAGUE (PAL) CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute a lease to the City of Charlotte for use by the City of the Greenville Recreation Center (\pm 20,520 sq. ft) located at 1330 Spring Street (Tax Parcel 078-443-44) for an initial lease term of five (5) years with the option for five (5) one (1) year renewal periods.
- 2) Authorize the County Manager to negotiate and execute a lease to the City of Charlotte for use by the City of the Police Activities League (PAL) Center (\pm 9,708 sq. ft) located at 812 Oaklawn Avenue (Tax Parcel 075-106-01) for a ten (10) year lease term with the option for five (5) one (1) year renewal periods.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.

(15-2582) LICENSE AGREEMENT AMENDMENT -- JOHNSON & WALES UNIVERSITY/FRAZIER PARK

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving amending the 2007 license agreement with Johnson and Wales University for athletic field use, improvement and enhanced maintenance program at Frazier Park and authorizing the County Manager to negotiate and execute such amendment.

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BOARD OF COMMISSIONERS

RESOLUTION APPROVING AMENDING THE MAY 2007 LICENSE AGREEMENT WITH JOHNSON & WALES UNIVERSITY

WHEREAS, Mecklenburg County is the owner of 16.6 acres +/- of park property located at 1200 W. 4th Street in Charlotte, North Carolina named Frazier Park which is designated for public recreation; and

WHEREAS, a License Agreement was entered into with Johnson and Wales University (JWU) in May 2007 providing for the funding of athletic field lighting at Frazier Park by JWU; and

WHEREAS, JWU has proposed providing spending an additional \$60,000 for additional improvements to the athletic field at Frazier Park, and annually spending \$15,000 to provide a higher level field maintenance program for the athletic field during an amended License Agreement with a maximum ten (10) year term; and

WHEREAS, capital improvement agreements providing private funding for park improvements, which contain appropriate controls to ensure public use of the Park facilities, is consistent with the County's First Right of Reservation Policy; and

WHEREAS, The County desires to have such athletic field and maintenance enhancements as proposed by the University; and

WHEREAS, pursuant to G.S. 160A-272 on May 5, 2015 the Board of Commissioners determined that it would be in the public interest for it to agree to the arrangement proposed by Johnson & Wales University and adopted a resolution declaring its intent to approve an amendment to the 2007 License Agreement; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve amending the 2007 License Agreement with Johnson & Wales University for the Frazier Park property to provide for a maximum ten (10) year term from the date of the amendment, in exchange for the agreement by JWU to spend \$60,000 for additional improvements to the athletic field at Frazier Park and annually to spend \$15,000 to provide a higher level field maintenance program for the athletic field, and authorizes the County Manager to negotiate and execute such an amended License Agreement with Johnson & Wales University.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2585) GRANT APPLICATION -- JUSTICE REINVESTMENT INITIATIVE: MAXIMIZING LOCAL REFORMS (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a formal grant application to the Justice Reinvestment Initiative Grant Competition, Maximizing Local Reforms, in the amount of \$350,000; and if awarded, recognize, receive and appropriate such funds for the grant period; and if awarded, establish one Crisis Intervention Team (CIT) Licensed Clinician, beginning October 1, 2015.

Commissioner Leake removed this item from Consent for more public awareness.

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(15-2586) GRANT APPLICATION -- NCDPS ALTERNATIVES TO COMMITMENT PROGRAM (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a grant application for funding in the amount of \$100,000 during FY 2015-16 from the North Carolina Department of Public Safety Division of Adult Corrections and Juvenile Justice; and if awarded, recognize, receive and appropriate such funds for the grant period; and if awarded, establish one Criminal Justice Case Manager position in Criminal Justice Services beginning July 1, 2015.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2587) GRANT APPLICATION -- OPERATION FAN HEAT RELIEF FOR SENIOR CITIZENS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an application for up to \$9,000 for a 2015 Operation Fan Heat Relief grant from the Area Agency on Aging; and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2588) GRANT APPLICATION -- HEALTH PROMOTION/DISEASE PREVENTION (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an application for up to \$6,000 for a Health Promotion/Disease Prevention grant from the Area Agency on Aging; and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2589) GRANT APPLICATION -- OLDER REFUGEE ASSISTANCE PROGRAM (SHAMROCK SENIOR CENTER, PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an application for up to \$50,000 for a Refugee Assistance – Services to Older Refugees Program grant from the Division of Social Services of the NC Department of Health and Human Services; and if awarded, recognize, receive and appropriate such funds for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with

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Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:52 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

MAY 28, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 11:30 a.m.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, George Dunlap, Vilma D. Leake,
Jim Puckett, Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
Clerk to the Board Janice S. Paige

Absent: Commissioners Patricia "Pat" Cotham and Bill James

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag.

Chairman Fuller stated the purpose of the meeting, which was to receive as information the County Manager's Recommended Budget for FY 2015-2016.

Chairman Fuller noted the following for the public's awareness:

- The Board will deliberate on the County Manager's Recommended Budget June 11 & possibly June 12 at 3:00 p.m. in Conference Center Room 267 on the second floor of the Government Center.
- Prior to those deliberations, the Board will hold a public hearing to receive public comment on the County Manager's Recommended Budget on June 10 at 6:00 p.m. in the Meeting Chamber. Persons desiring to speak at the public hearing should sign up on-line at <http://boccspeakerbph.mecklenburgcountync.gov> or call 980-314-2870. Sign-ups began last Friday, May 22 and will go through Monday, June 8th. After June 8th persons must sign up when they arrive at the meeting on June 10th. You are encouraged to sign up in advance.
- The Board is scheduled to adopt the County's FY2015-16 budget on June 16 during its regular meeting here in the Meeting Chamber.

Chairman Fuller called on County Manager Diorio to present her FY2015-2016 Recommended Budget.

Commissioner Dunlap entered the meeting during this time.

County Manager Diorio presented her FY2015-2016 Recommended Budget. She was assisted in her presentation

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by Management and Budget Director Michael Bryant, who gave a detailed overview following County Manager Diorio's presentation.

A copy of the FY 2015-2016 Recommended Budget is on file with the Clerk to the Board.

Chairman Fuller thanked County Manager Diorio and Director Bryant for the presentation.

Chairman Fuller said the Board would not engage in dialogue regarding the recommended budget at this time.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 12:32 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

JUNE 2, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 2, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

Commissioners Dunlap, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2431, 15-2612, 15-2613, 15-2616, 15-2617, 15-2618, 15-2621, and 15-2630 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

**(15-2598, 15-2609, 15-2611) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, LAND ACQUISITION
AND CONSULT WITH ATTORNEY**

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel #145-172-09.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Scarborough voting yes, to go into Closed Session for the following purposes: Business Location and Expansion, Land Acquisition and Consult with Attorney.

JUNE 2, 2015

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:00 p.m.

Commissioners Dunlap, Puckett, and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Ridenhour, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Boy Scout Troop 355 located at Providence United Methodist Church lead the Pledge of Allegiance.

AWARDS/RECOGNITION - NONE

(15-2608) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting:

Lloyd Scher, former County Commissioner, representing the Lions Club, Charlotte Chapter, addressed one of their service projects, the collection and donation of eye glasses to those in need. It was noted that on September 16, 2015, the Lion's Club of Charlotte would be holding a VIP Day celebration. Commissioners were invited to participate.

Note: Lions Clubs International is the world's largest service club organization. Its motto is "We Serve." "Lions Clubs are community-based organizations with programs designed to fit individual communities. Their primary quest is to end blindness in the world with help for those visually blind or challenged. Services include individual vision care, eye research and independent living education."

Rev. Willie Bee Simpson addressed maintenance and amenity needs at MLK Park and Progressive Park, such as water fountains and miniature basketball goals.

Jeff Bubak, Vallee Bubak, Chuck Suter, Melissa O'Gorman, Michelle Ferlanto, and Brian Stack spoke in opposition to the I-77 Mobility Partners Contract for the I-77 Hot Toll Road. They asked the Board to adopt a resolution requesting the termination of the contract with I-77 Mobility Partners and NC DOT to Toll I-77 for 50 Years. They presented a proposed resolution to the Board for consideration. It was noted that the Town of Cornelius adopted a similar resolution requesting the termination of the contract.

A copy of the proposed resolution is on file with the Clerk to the Board.

JUNE 2, 2015

(15-2615) APPOINTMENTS

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

Commissioner Leake, Chair of the Board's Ad Hoc Appointment Committee for the Planning Commission presented the committee's recommendation. The other members of the committee were Commissioners Cotham, Puckett, and Scarborough. The committee recommended the appointment of Nasif Majeed.

A copy of the Committee's recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough, to appoint Nasif Majeed to the Charlotte-Mecklenburg Planning Commission as recommended by the Board's Ad Hoc Appointment Committee, for a three-year term expiring June 30, 2018, effective July 1, 2015.

Commissioner Puckett acknowledged that there was some confusion regarding whether or not the seat that's vacant on the Planning Commission had to be filled by someone living in the extra territorial jurisdiction (ETJ) of the County. Commissioner Puckett said it was confirmed that this was not a requirement.

Commissioner Puckett noted that each of the towns within Mecklenburg County had Planning Boards that do require representation by person(s) living in the ETJ. The Towns make a recommendation to the Board of County Commissioners (BOCC) with respect to their ETJ representative and the BOCC is asked to approve that recommendation.

Commissioner James asked, going forward, if consideration should be given to having persons living in the extra territorial jurisdiction represented on the Planning Commission.

Commissioner Clarke suggested staff take a look at the interlocal agreement regarding the Planning Commission to see if any changes were needed, in light of the County's minimal role with respect to land use planning, as compared to when the interlocal agreement was created years ago.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to follow the Board's normal process of voting on each nominee.

The vote was then taken on the following nominees for appointment consideration to the Planning Commission:

Adam Grabiec	None
Karla Knotts	Commissioners James and Ridenhour
Nasif Majeed	Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough
	<i>Voting Ceased</i>

Jeffery Reynolds

Chairman Fuller announced the appointment of Nasif Majeed to the Charlotte-Mecklenburg Planning Commission for a three-year term expiring June 30, 2018, effective July 1, 2015.

(15-2606) PUBLIC HEARING -- INVEST COLLEGIATE -- TRANSFORM TEFRA HEARING

JUNE 2, 2015

EXTRACTS FROM MINUTES OF BOARD OF COMMISSIONERS

Motion was made by Commissioner Matthew Ridenhour, seconded by Commissioner Dumont Clarke and unanimously carried, with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the Invest Collegiate-Transform TEFRA public hearing.

At 6:55 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), of its Charter School Revenue Bonds (Invest Collegiate - Transform - Project), Series 2015 (the "*2015 Bonds*"), in an aggregate principal amount not to exceed \$35,000,000, the proceeds of which will be loaned to INVEST COLLEGIATE - Transform, LLC (the "*Borrower*"), the sole member of which is INVEST COLLEGIATE Consortium, Inc. (the "*Charter School*"), for the following purposes:

- (1) to finance the costs of acquiring and equipping an existing school facility and financing the construction and equipping of a new school facility for lower, middle and upper school age school children (the "*Project*");
- (2) fund a debt service reserve for the 2015 Bonds; and
- (3) to pay certain costs incurred in connection with the issuance of the 2015 Bonds;

The Project is located at 2045 Suttle Avenue, Charlotte, North Carolina 28208 and will be owned by the Borrower.

On May 18, 2015, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the 2015 Bonds, the initial owner and operator of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2015 Bonds or who responded in writing to the notice of public hearing are as follows:
[None]

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, Commissioner Dumont Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Ella B. Scarborough and was unanimously adopted.

Commissioner Dumont Clarke introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA,
APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS
(INVEST COLLEGIATE - TRANSFORM - PROJECT), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO
EXCEED \$35,000,000**

JUNE 2, 2015

WHEREAS, INVEST COLLEGIATE - Transform, LLC (the "*Borrower*"), the sole member of which is INVEST COLLEGIATE Consortium, Inc. (the "*Charter School*"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "*Authority*"), issue its Charter School Revenue Bonds (Invest Collegiate - Transform - Project), Series 2015 (the "*2015 Bonds*"), in an aggregate principal amount not to exceed \$35,000,000 for the following purposes:

- (1) to finance the costs of acquiring and equipping an existing school facility and financing the construction and equipping of a new school facility for lower, middle and upper school age school children (the "*Project*"),
- (2) fund a debt service reserve for the 2015 Bonds;
- (3) to pay certain costs incurred in connection with the issuance of the 2015 Bonds;

WHEREAS, the Project is currently leased to and operated by the Charter School. The proceeds of the Bonds will be used by the Borrower to acquire the Project, which will then be leased to and operated by the Charter School;

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2015 Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the area in which the Project is located, after a public hearing held following reasonable public notice;

WHEREAS, the Board of Commissioners (the "*Board*") of the County of Mecklenburg, North Carolina (the "*County*") is the "applicable elected representative" of the County for the Project located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the 2015 Bonds and the refinancing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the "*TEFRA Notice*"), held a public hearing today regarding the Authority's issuance of the 2015 Bonds and the financing of the Project and now desires to approve the Authority's issuance of the 2015 Bonds and the financing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority's issuance of the 2015 Bonds in an aggregate principal amount not to exceed \$35,000,000 and (b) the financing of the Project located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2015 Bonds or for any costs incurred by the Borrower with respect to the 2015 Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.

On motion of Commissioner Dumont Clarke, seconded by Commissioner Ella B. Scarborough, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (INVEST COLLEGIATE - TRANSFORM - PROJECT), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000**" was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma

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Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

ADVISORY COMMITTEE REPORTS

(15-2542) DOMESTIC VIOLENCE ADVISORY BOARD 2014 ANNUAL REPORT

The Board received the annual report of the Domestic Violence Advisory Board (DVAB). Elizabeth Trosch, former Chair of the DVAB gave the report, along with member Eddie Sanders. The following was covered:

- Purpose
- Introduction and Summary
- New Services and Collaborations
- Barriers to Services
- Gaps Requiring County and City support
- Domestic Violence Advisory Board Awareness Activity

A copy of the report is on file with the Clerk to the Board.

Note: The DVAB has been charged with reporting to the BOCC and City Council about the state of domestic violence in our community.

Comments

Chairman Fuller asked about the cost to place a magistrate in the northern part of the County. *It was noted that the specific amount was not known at this time.*

Chairman Fuller asked that the cost to do so be obtained, as well as, an answer as to whether costs was the obstacle.

Chairman Fuller asked if the training addressed in the report, a part of the training that took place as it related to the Crisis Intervention Team. *The response was that this was a separate type of training, and was elaborated on.*

Commissioner Dunlap asked about the expansion of the Child Development Community Policing Program, which was addressed by County Manager Diorio. *It was noted the Recommended FY16 Budget provided for the expansion of the program to all 13 Patrol Districts within the City of Charlotte.*

Commissioner Dunlap asked for clarity regarding shelter capacity, which was addressed.

Commissioner Dunlap commented on the need for a magistrate in the northern part of the County. Commissioner Dunlap acknowledged that was something former Commissioner Karen Bentley worked on for quite some time.

Commissioner Dunlap said one of the issues that came up concerning this, was the issue of equity, with respect to other areas of the County, such as in the southern part of the County. He asked had an analysis been done to

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determine that it was needed more in the northern part of the County. *Former DVAB Chair Trosch said she believed it was based on the experience and some type of assessment that victims in the northern part of the County experienced more challenges and greater barriers and were less likely to have and/or seek out access to the magistrate.*

Commissioner Dunlap questioned whether an assessment was done of the towns in the southern part of the County. *Former DVAB Chair Trosch said she didn't know.*

Commissioner Dunlap said he was supportive of it, but would like to know the rationale for the desire to have a magistrate in the northern part of the County versus the southern part of the County and/or why not both areas.

Commissioner Leake noted the additional Social Worker request. She asked that this be considered during the Board's FY16 budget deliberations.

Commissioner Leake asked the committee if they maintained a check list, to determine from year to year if any action was taken on their recommendations. *The response was no, but information was shared regarding progress that had been made with respect to past recommendations.*

Commissioner Cotham asked about the committee's data evaluation process, which was addressed.

Commissioner Cotham expressed concern for the actual number of victims. She noted that often the numbers vary for any given year depending on which organization is presenting information throughout the community.

This concluded the discussion.

Chairman Fuller thanked the presenters for the report.

MANAGER'S REPORT

County Manager Diorio addressed the County's Social Media Strategy.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS – NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

(15-2609) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #145-172-09 (+/- .13 acres) from Mr. Joshua Powell in the City of Charlotte for a purchase price of \$6,000.

Note: The parcel will be incorporated into the adjacent Reid Neighborhood Park to fill in gaps in County ownership.

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CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2481) GRANT APPLICATION -- CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT

Approve a \$6,500 grant from The Charlotte Observer Summer Camp Fund Grant; and recognize, receive and appropriate such funds.

Note: The Charlotte Observer Summer Camp Fund awards grants to summer camps to provide scholarships to low-income children in grades K-12 to experience the outdoors during the summer months. Grants must be used to expand the opportunities available to low-income campers. The goals of The Charlotte Observer Summer Camp Fund are to help children develop a love of the outdoors, encourage continued learning throughout the summer, and expand children's visions of what could be.

(15-2601) LAND DONATION -- BACK CREEK GREENWAY

Accept the donation of Tax Parcel 105-371-30 (±2.08 acres) for the future construction of a portion of Back Creek Greenway trail from University East Business Park Association, Inc.

(15-2607) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from Next Level Property Investments, LLC, owners of property at 3815 Winfield Drive (Tax Parcel 131-102-06) for \$165,000; and authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition is part of the Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

(15-2610) MINUTES

Approve Minutes of Regular meeting held May 19, 2015, Special Meeting held May 28, 2015 and Closed Session held May 5, 2015 and May 19, 2015.

(15-2614) DONATION FOR PARALYMPIC SPORTS CLUB -- METROLINA (PARK AND RECREATION)

Accept and appropriate a series of donations from Mark Oil/BP in the total amount of \$11,527 to the Paralympic Sports Club - Metrolina, a program of Mecklenburg County Park and Recreation/Therapeutic Recreation Section.

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(15-2619) GRANT APPLICATION -- DIESEL EMISSION REDUCTION ACT 2015

Approve the submission of application by Mecklenburg County Air Quality to U.S. Environmental Protection Agency for up to \$600,000 in grant funds; and upon award of grant, recognize, receive and appropriate the grant money; and authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

(15-2620) TAX REFUNDS

Approve refunds in the amount of \$16,309.41 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$1,062,304.93 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2624) AMENDMENT -- MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE

Approve an amendment to the Mecklenburg County Solid Waste Fee Ordinance.

Note: *The fee related changes include:*

- 1) *Increasing the tipping fee for all materials delivered to the Foxhole Landfill by \$2/ton.*
- 2) *Decreasing the fees charged for Mulch and Compost at all solid waste facilities for small loads of 1 to 2 cubic yards so that the fees, including taxes, will be in whole dollar amounts to make it easier for both the customers and the fee collection booth personnel.*
- 3) *Increasing the Residential Solid Waste Fee from the current \$15 per year to \$17 per year.*

Ordinance recorded in full in Minute/Ordinance Book _____ Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2431) LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE REVISION (DEMOLITION PERMIT FEES)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend LUESA Fee Ordinance to revise demolition permit fees.

Commissioner Leake removed this item from Consent for more public awareness.

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Ordinance recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2612) PROGRAM SPONSORSHIP -- ALSTON AND BIRD, LLP (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate a \$5,000 sponsorship from Alston and Bird, LLP for the Bearden Music Series at Romare Bearden Park.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2613) CAPITAL RESERVE EXPENDITURE -- GOLF COURSES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appropriate expenditure of up to \$40,000 from the Consolidated Golf Capital Reserve Fund to expand the irrigation systems at Sunset Hills Golf Course and Renaissance Park Golf Course.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2616) GRANT APPLICATION -- NORTH CAROLINA GENERAL PURPOSE GRANT - SHAMROCK SENIOR CENTER

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a grant application of up to \$12,000 for a North Carolina General Purpose Grant for the Shamrock Senior Center; and if awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY2016 and will be used to continue existing programming at the Shamrock Senior Center.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2617) GRANT APPLICATION -- SENIOR HEALTH INSURANCE INFORMATION PROGRAM (SHIIP)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a grant application of up to \$5,000 for a Senior Health Insurance Information Program Grant (SHIIP); and if awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY2016 and will be used to continue existing Medicare Education and Counseling Services offered throughout the County.

Commissioner Leake removed this item from Consent for more public awareness.

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(15-2618) DSS -- HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Home and Community Care Block Grant (HCCBG) funding plan for FY2016.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority.

The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Legal Services.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2621) BUDGET AMENDMENT -- CRIMINAL JUSTICE SERVICES (REVENUE/EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$69,825 in additional state grant funds for Re-entry Services.

Note: Mecklenburg County Re-entry Services is a program within the Criminal Justice Services department, whose mission is to facilitate a seamless transition of participants back into the community while promoting employment stability, service engagement, and continuing education.

Commissioner Leake removed this item from Consent for more public awareness.

(15-2630) FEES AND CHARGES -- PARK AND RECREATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve new and revised Park and Recreation Fees and Charges to be effective on July 1, 2015.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:44 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Budget Workshop Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, NC at 3:00 p.m. on Thursday, June 11, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham,
George Dunlap, Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

FY2015 - 2016 BUDGET DELIBERATION

The meeting was called to order by Chairman Fuller.

Commissioners Dunlap and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

Chairman Fuller said the purpose of the meeting was to begin the Board's deliberation on the County Manager's FY15-16 Recommended Budget and to take straw votes.

Chairman Fuller then turned the meeting over to County Manager Diorio, who turned it over to Budget Director Michael Bryant.

Commissioner Ridenhour entered the meeting.

Budget Director Bryant outlined the format for proceeding and the agenda topics to be discussed.

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UPDATE ON CW WILLIAMS HEALTH CENTER

The Board received an update from Assistant County Manager Mark Foster on CW Williams Health Center.

A copy of the update is on file with the Clerk to the Board.

Comments

Commissioner James asked about CW Williams' cash flow, which was addressed.

County Manager Diorio noted the Board would need to consider whether or not any changes were needed to the current list of grant conditions for the release of funds to CW Williams Health Center.

County Manager Diorio said it was her understanding there was no interest on the part of CW Williams to form a partnership with another agency.

Commissioner Dunlap entered the meeting.

County Manager Diorio said staff would bring forth some new grant release conditions for the Board's consideration at the June 16, 2015 meeting.

Commissioner Leake said she was glad to see there's a move in the right direction on the part of CW Williams Health Center.

Commissioner Leake said she wanted CW Williams Health Center to bounce back, because it provided a service that was truly needed in that community.

Commissioner Leake said CW Williams Health Center should remain a separate entity and not enter into partnership with another health care agency, because it could subsequently be taken over.

Commissioner Dunlap addressed the need for the type of services provided by CW Williams. He, too, would like to see CW Williams bounce back.

Chairman Fuller said he did not want to see CW Williams Health Center fail. He, too, addressed the need for their services in this area of the County.

Commissioner Puckett asked about the status of the conditional Federal HRSA grant to CW Williams, which was addressed.

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Commissioner Cotham noted that CW Williams Health Center served residents from all over the County and not just those living in the surrounding area.

Commissioner Scarborough addressed the need for the type of services provided by CW Williams. She, too, would like to see CW Williams bounce back.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

UPDATE ON THE SENATE’S SALES TAX DISTRIBUTION BILL

The Board received an update from Assistant County Manager Mark Foster on the N.C. Senate’s Sales Tax Distribution Bill.

Note: On June 10, 2015, the NC Senate offered a proposal to modify how local option sales tax was distributed to counties effective FY2016

It shifts the distribution formula from 25% Per Capita and 75% Point of Collection to 80% Per Capita and 20% Point of Collection over 5 years

<i>Fiscal Year</i>	<i>Per Capita</i>	<i>Collection</i>
<i>FY 2015 - 16</i>	<i>25%</i>	<i>75%</i>
<i>FY 2016 - 17</i>	<i>40%</i>	<i>60%</i>
<i>FY 2017 - 18</i>	<i>55%</i>	<i>45%</i>
<i>FY 2018 - 19</i>	<i>70%</i>	<i>30%</i>
<i>FY 2019 - 20</i>	<i>80%</i>	<i>20%</i>

A copy of the update is on file with the Clerk to the Board.

Comments

Commissioner Clarke questioned the “vast” difference between the County’s calculation and the Legislative calculation, which was addressed.

Commissioner Clarke asked how much of an increase it would take in the tax rate to replace the lost revenue in years 2019-2020. *The response was 5.5 cents.*

Commissioner James asked about the areas of expansion, which was addressed.

Commissioner James noted the impact of this change on future budgets.

Commissioner Ridenhour asked about items included in the Legislative calculation that weren’t in the County’s calculation, which was addressed.

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Chairman Fuller expressed concern for the Senate's Sales Tax Distribution Proposal. Chairman Fuller suggested the State look at growth from a regional perspective. Chairman Fuller said he appreciated the Legislature's attempt to address this issue, but that it could not be solved by taking revenue away from the urban counties and giving it to the rural/smaller counties.

Commissioner Puckett addressed the impact and negative consequences of the action being proposed by the Legislature.

Commissioner Dunlap said the only logic he could come up with for the Legislature's thought pattern, with respect to the proposal was, they thought by taking revenue from the urban counties and giving it to the rural/smaller counties would be a disincentive for the smaller counties to raise their taxes. Thus, they would keep their taxes low. This would then force businesses to choose between higher taxes in an urban area versus lower taxes in a rural/smaller county. The small/rural counties would then begin to grow and "maybe down the road," the urban counties would get some of that sales tax revenue back.

Commissioner Dunlap said, although he offered that logic, he didn't think that would happen.

Commissioner Clarke asked was there any requirement of those counties that would benefit from this type of proposal, such as keeping their current tax rate. *Assistant County Manager Foster said he did not know if there were any requirements.*

Commissioner Cotham suggested Board members talk with Legislators regarding this issue and share the County's concerns.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

RESPONSES TO REQUESTS FOR INFORMATION

The Board received an overview from Budget Director Bryant regarding responses to recent requests for information from Board members.

The questions dealt with the following:

- Park & Recreation Crime Statistics
- Budget Impact if State Budget includes 2% Pay Increase for State Employees (as it relates to CMS employees)
- Funding Format for Charter Schools

A copy of the responses is on file with the Clerk to the Board.

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Comments

CMS

County Manager Diorio offered the following options for funding the additional amount that would be needed if the State budget included a 2% pay increase for State employees.

1. Increase the tax rate by less than a half a cent to cover the \$4.4 million that would be needed.
2. Fund it through discovery bills, however, this would be a one-time funding source
3. Reduce the contribution amount to debt service by that amount
4. Ask Charlotte-Mecklenburg Schools (CMS) to fund it internally, thus the County would not provide any additional dollars

Commissioner Leake asked if the \$4.4 million would provide a raise for cafeteria staff, bus drivers, custodians and clerical staff. Commissioner Leake also commented on a pay increase for veteran teachers compared to first year teachers.

Commissioner Puckett commented on how the County supplements CMS for teachers that are paid in full with County dollars, as well as, those paid by the State. Commissioner Puckett noted as well, that CMS had total control over the funds allocated to them.

Commissioner James said funds could be placed in contingency with the stipulation that the funds be used specifically for teacher salaries.

Commissioner Puckett asked for clarity on CMS' preliminary estimate of \$9.4 million, which CMS said was required to fully fund the County's local share of a 2% pay increase.

Dennis Covington, Budget Director for CMS addressed this issue.

Following other general comments, this concluded the discussion regarding CMS. The above is not inclusive of every comment but is a summary.

Park & Recreation

Park and Recreation Director Jim Garges addressed Park security. It was noted that this was not only about security of those entering the parks, but park staff and park facilities.

Comments

Commissioner Dunlap said he would be recommending during the Straw Vote process, the

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addition of two Park Rangers.

Following other general comments, this concluded the discussion regarding Park security. The above is not inclusive of every comment but is a summary.

The Board recessed at 4:55 p.m. for dinner and reconvened at 5:27 p.m.

STRAW VOTES

Budget Director Bryant reviewed the rules of engagement for proceeding with Straw Votes.

There was no objection from the Board with respect to following the rules of engagement outlined by Budget Director Bryant.

Note: Straw Vote motions do not require a second in order to be considered and could be made by any Commissioner, including the Chairman.

A copy of the FY2016 BOCC Straw-Vote Spreadsheet is on file with the Clerk to the Board.

COMMUNITY SERVICE GRANTS

100 Black Men of Greater Charlotte

Motion was made by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$20,000** for a Community Service Grant to 100 Black Men of Greater Charlotte, with the funds coming from a corresponding increase in sales tax revenue of \$20,000 to offset the additional expense.

First Baptist Church West-Community Services Association

Motion was made by Commissioner Leake to amend the County Manager's FY15-16 Recommended Budget by adding \$150,000 for a Community Service Grant to First Baptist Church West-Community Services Association, with the funds coming from a corresponding increase in sales tax revenue of \$150,000 to offset the additional expense. Secondly, that these funds be placed in restricted contingency and released only after First Baptist Church West-Community Services Association satisfied the financial requests and concerns outlined by the County.

Note: The County Manager was asked to develop for the Board's consideration, at the June 16, 2015 meeting, a list of the financial requests and concerns to be placed as conditions for release of funds to First Baptist Church West-Community Services Association.

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After further discussion, Commissioner Leake amended her motion in the amount of \$75,000, which was the amount requested by First Baptist Church West-Community Services Association.

The vote was then taken on the amended motion as noted below.

Motion was made by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$75,000** for a Community Service Grant to First Baptist Church West-Community Services Association, with the funds coming from a corresponding increase in sales tax revenue of \$75,000 to offset the additional expense. Secondly, that these funds be placed in restricted contingency and released only after First Baptist Church West-Community Services Association satisfied the conditions for the release of funds.

Commissioner Leake left the meeting and was away until noted in the minutes.

Senior Activities Service

Motion was made by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$70,000** for a Community Service Grant to Senior Activities Service, with the funds coming from a corresponding increase in sales tax revenue of \$70,000 to offset the additional expense. Secondly, that these funds be placed in restricted contingency and released only after Senior Activities Service satisfied the conditions for the release of funds.

Commissioner Leake returned to the meeting.

Care Ring, Inc. (Nurse-Family Partnership)

Motion was made by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$63,000** to the Community Service Grant to Care Ring, Inc. (Nurse-Family Partnership), with the funds coming from a corresponding increase in sales tax revenue of \$63,000 to offset the additional expense.

Latin American Coalition

Motion was made by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$25,000** to the Community Service Grant to the Latin American Coalition, with the funds coming from a corresponding increase in sales tax revenue of \$25,000 to offset the additional expense.

Ada Jenkins Center

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Motion was made by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$5,000** to the Community Service Grant to the Ada Jenkins Center, with the funds coming from a corresponding increase in sales tax revenue of \$5,000 to offset the additional expense.

Commissioner Fuller asked about Renaissance West, which was addressed.

Junior Achievement of the Carolinas, Inc.

Motion was made by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$20,000** for a Community Service Grant to Junior Achievement of the Carolinas, Inc. with the funds coming from a corresponding increase in sales tax revenue of \$20,000 to offset the additional expense.

COUNTY DEPARTMENTS

Child Support Enforcement – Child Support Court Services

Motion was made by Commissioner Dunlap to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$16,786 for a caseworker position** for Child Support Enforcement-Child Support Court Services with the funds coming from a corresponding increase in sales tax revenue of \$16,786 to offset the additional expense.

It was noted that this position would be partially funded from federal funds.

Staff was asked to determine the actual amount before action would be taken.

New Position Equity Inclusion Coordinator

Commissioner Dunlap suggested amending the County Manager's FY15-16 Recommended Budget by adding a new position for the Courts, an Equity Inclusion Coordinator with the funds coming from a corresponding increase in sales tax revenue to offset the additional expense.

Note: The Equity Inclusion Coordinator managed the Race Matters Training Program.

Commissioner Dunlap noted that the individual that was managing the program was now the Clerk of Court and therefore was not able to continue in that capacity.

County Manager Diorio suggested the Board wait until next fiscal year to consider creating this position under the County, since the County's Director of Criminal Justice Services position had not been filled. It was noted that this new position would report to the Director of Criminal Justice Services.

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County Manager Diorio said the current Equity Inclusion Coordinator position was being funded by the courts, who likewise, managed the Race Matters Training Program. County Manager Diorio said she felt the program would continue to function okay, until a decision was made by the County with respect to the new position and the administration of the program.

Commissioner Clarke and Chairman Fuller spoke in support of the position and commented on the benefits of the Race Matters Training Program that would be conducted by the person in this position.

County Manager Diorio said consideration should also be given to whether the program should be administered by the City of Charlotte, since working with law enforcement was a big component of the program.

County Manager Diorio said the program was important, however, the question she had was why should this be the County's responsibility and not a joint effort on the part of everyone with a stake in the benefits of the program; and therefore funded jointly and not solely by the County.

Commissioner Dunlap said he would not "push" the issue at this time, but that he would bring it up again at a later date. Commissioner Dunlap said he felt the position "added value" and had helped people, in a lot of ways, to understand the "racial" inequities that exist in the court system.

Chairman Fuller noted that judges go through this program, as well as, law enforcement personnel.

Chairman Fuller said he hoped staff could come up with some alternative means of supporting the program, until a Director of Criminal Justice Services was hired. Chairman Fuller said he would not want to see the program "wither away" and would like something to be done prior to a year from now.

County Manager Diorio said staff would see what could be done in the interim, perhaps using an existing County resource that could be deployed on an interim basis to help assist with the management of the program.

County Manager Diorio said \$95,691 was the request noted in information received from the courts.

Commissioner Dunlap said he did not plan to request funding in that amount. He said the range started at \$46,000.

Commissioner Scarborough suggested staff contact the Charlotte-Mecklenburg Community Relations Department to see if this was something they could do.

Commissioner Cotham suggested this could be a part-time contract position, because the person

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that was previously in the position, the Honorable Judge Elisa Chinn Gary, had other job responsibilities.

Commissioner Cotham suggested reaching out to the Honorable Judge Regan Miller to see if there was a retired judge who might be interested in the position. Commissioner Cotham said the position cost was probably more in the \$40,000 - \$50,000 range.

County Manager Diorio said staff would take a look to see what could be done on an interim basis to help the program continue. She said once a Director of Criminal Justice Services was hired, staff would then look at exploring the possibility of a full-time position.

Park and Recreation

Motion was made by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$10,000** to Park and Recreation's Budget Line Item Nature Preserves & Natural Resources to cover the cost of a **gate on Camp Stewart Road, as well as, mile markers along the trails** with the funds coming from a corresponding increase in sales tax revenue of \$10,000 to offset the additional expense.

Commissioner Leake asked that a survey be conducted to see if mile markers were needed at other parks and what the cost would be to install them.

Motion was made by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding \$72,000** to Park and Recreation's Budget Line Item Park Operations to cover the cost of **two additional Park Ranger positions** with the funds coming from a corresponding increase in sales tax revenue of \$72,000 to offset the additional expense.

Health Department

Motion was made by Commissioner Dunlap and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes and Commissioners James and Ridenhour voting no, to amend the County Manager's FY15-16 Recommended Budget **by adding \$45,000** to the Health Department's Budget to fund the **Green Teacher Network** request with the funds coming from a corresponding increase in sales tax revenue of \$45,000 to offset the additional expense.

Note: Health Director Dr. Marcus Plescia said the Health Department could contract with the Green Teacher Network.

Child Support Enforcement – Child Support Court Services

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Motion was made by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$16,786 for a caseworker position** for Child Support Enforcement-Child Support Court Services with the funds coming from a corresponding increase in sales tax revenue of \$16,786 to offset the additional expense.

Economic Development

Motion was made by Commissioner Scarborough and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to amend the County Manager's FY15-16 Recommended Budget **by adding an additional \$10,000 for the CRVA-CIAA Tournament** with the funds coming from a corresponding increase in sales tax revenue of \$10,000 to offset the additional expense.

Non-Departmental

ASC-Library & Parks Orchestra Programming

Commissioner Puckett asked about the County Manager's recommended funding for the ASC-Library & Parks Orchestra Programming, which was addressed.

Commissioner Puckett suggested going forward consideration be given to providing County lease space to the Arts & Science Council (ASC) for perhaps a \$1.00 annually. Commissioner Puckett commented on where the ASC was currently housed.

READ Charlotte

Commissioner Leake commented on the County Manager's recommended funding for READ Charlotte. Commissioner Leake addressed the difference she felt it would make if those funds were used in a different manner, such as working with a specific community and addressing the total needs of families within that community.

Commissioner Scarborough said upward mobility with respect to economic development needed to be kept on the forefront of County efforts.

VETERANS DAY

County Manager Diorio noted that Veteran's Day would be included in the FY15-16 Budget Ordinance as a paid County holiday.

COUNTY DEPARTMENTS

Park and Recreation

Motion was made by Commissioner Leake to amend the County Manager's FY15-16

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Recommended Budget **by adding \$5,000** for the James L. Ross II Scholarship Fund Program with the funds coming from a corresponding increase in sales tax revenue of \$5,000 to offset the additional expense.

Commissioner Leake noted that the request for funding was made at the Budget Public Hearing. Commissioner Leake said it would provide scholarships for golfing for children.

Park and Recreation Director Jim Garges addressed the existing opportunities through Park and Recreation to expose youth to golf, who may not otherwise have that opportunity, such as the First Tee of Charlotte Program and Junior Golfing that's available at all five County golf courses.

Commissioner Ridenhour suggested funds be raised for donation to the Jim Ross Scholarship Fund. He offered to partner with Commissioner Leake to raise those funds.

Commissioner Leake said her preference of support was in the form of her motion.

Commissioner Cotham suggested \$10,000 be provided in the budget, which was the requestors' request to the Board.

Commissioner Leake accepted Commissioner Cotham's suggestion and changed her motion to \$10,000.

Commissioner Dunlap suggested that perhaps the Jim Ross Scholarship Fund could seek a grant from Park and Recreation. Park and Recreation Director Garges said the department did not offer grants using taxpayer dollars.

Director Garges said it was possible the organization could work with the Parks Foundation, which was a 501C 3 organization. He said Park and Recreation did partner with other programs, but it would have to be determined exactly what the Jim Ross Scholarship Fund program was.

Director Garges said he could connect the organization with First Tee of Charlotte to see if it was possible that some type of collaboration could take place between the two.

Director Garges said he would be willing to meet with the requestors to determine the best way to handle their request, if that was acceptable to the Board.

The vote was then taken on Commissioner Leake's motion as noted below.

Motion was made by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes to amend the County Manager's FY15-16 Recommended Budget **by adding \$10,000 to Park and Recreation's budget line Athletic Services for the James L. Ross II Scholarship Fund to be administered through**

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Park and Recreation with the funds coming from a corresponding increase in sales tax revenue of \$10,000 to offset the additional expense.

BUDGET ORDINANCE DIRECTIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to direct staff to prepare a FY 2015-2016 Budget Ordinance based on the County Manager's FY 2015-2016 Recommended Budget as amended by actions taken by the Board at today's meeting on June 11, 2015.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:07 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 16, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2631, 15-2633, 15-2634, 15-2642, 15-2646, 15-2649, 15-2655, 15-2660, and 15-2661 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to move Item 15-2654 – Joint Proclamation –World Refugee Day from the Consent portion of the agenda to Awards/Recognition.

STAFF BRIEFINGS - NONE

(15-2644, 15-2647, 15-2659) CLOSED SESSION – CONSULT WITH ATTORNEY, LAND ACQUISITION AND PERSONNEL MATTER

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 077-079-01, 079-043-03, and Tax Parcel #123-062-11.

Note: There was no Consult with Attorney or Personnel Matter to be discussed.

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:37 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

AGENDA ITEM ADDED – BOCC COMPENSATION AND COUNTY MANAGER COMPENSATION

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to add an item to the agenda regarding Board compensation and County Manager compensation.

Commissioner Dunlap, chair of the Board's Performance Review Committee, informed the Board that staff was in the process of gathering information on compensation of County Commissioners from across the country and specifically in NC. They will subsequently, at some future date, share those findings with the Board.

It was noted that average salary calculations shared at the committee meeting varied from \$42,000 - \$46,000. No action was taken with respect to any compensation amount. It was noted the current Board salary was around \$25,000. It was noted also that market rate pay for commissioners had not been looked at in the past, only as it related to employees.

Commissioner Dunlap said the next step after receiving additional information from staff would be to determine, what, if anything, the Board wanted to do and how to go about implementing any change.

Commissioner Dunlap said any action taken by the Board would not impact the FY15-16 budget.

Commissioner Dunlap said the committee also discussed compensation for the County Manager from the perspective of what the County Manager's base was and where should it be.

Commissioner Dunlap said the County Manager would make a forthcoming presentation regarding her goals and accomplishments. Commissioner Dunlap said after hearing from the County Manager, the Board would then make a decision regarding the County Manager's compensation.

AGENDA ITEM ADDED – BOCC TERMS OF OFFICE

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to add an item to the agenda regarding the terms of office for the Mecklenburg County Board of Commissioners from two-years to four-years.

Commissioner Dunlap addressed the topic of four-year terms for the Mecklenburg County Board of Commissioners. It was noted that 92 of the 100 NC counties had four-year terms, with some of the remaining eight having split terms.

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Commissioner Dunlap said he would bring this matter for further discussion at the July 7, 2015 meeting.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Ridenhour, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

(15-2654) JOINT PROCLAMATION -- WORLD REFUGEE DAY

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation designating June 20, 2015 as World Refugee Day in Charlotte and Mecklenburg County.

The proclamation was read by Commissioner Dunlap and received by Heather Bise, 2015 World Refugee Day Charlotte Planning Committee Chair and Amy Rudisell with Cardinal Innovations. The Board, as well as, members of the public were invited to attend the World Refugee Day event on June 20, 2015 from 10:00 a.m. – 1:00 p.m. uptown Charlotte at The Green, 454 S. College Street.

A copy of the proclamation is on file with the Clerk to the Board.

(15-2641) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

(15-2622) TOWN OF HUNTERSVILLE PLANNING BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint JoAnne Miller to the Town of Huntersville Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as recommended by the Town of Huntersville Board of Commissioners for a three-year term from July 1, 2015 to June 30, 2018.

(15-2668) TOWN OF MINT HILL PLANNING BOARD

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Roger Hendrix to the Town of Mint Hill Planning Board as an Extraterritorial Jurisdiction representative

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(ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a two-year term expiring June 30, 2017, effective July 1, 2015.

(15-2656) NOMINATIONS/APPOINTMENTS

CHARLOTTE-MECKLENBURG COALITION FOR HOUSING

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Amy Nelson to the Charlotte-Mecklenburg Coalition for Housing as an Education representative for a three-year term expiring June 30, 2018 effective, July 1, 2015.

She would replace Lori Thomas, who would no longer be eligible for reappointment having served two full consecutive terms.

CITIZEN'S TRANSIT ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Matt Covington and nominate and appoint Freddie Brown to the Citizen's Transit Advisory Committee for two-year terms expiring June 30, 2017, effective July 1, 2015.

He replaced Anthony Davis, who failed to meet the attendance requirement for 2014.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Erik Lindahl, Lucy Robinson and Janice Shirley to the Domestic Violence Advisory Board for three-year terms expiring April 30, 2018.

They replace Glenda Spann-Hinnant and Lissette Torres, who failed to meet the attendance requirement for 2014 and Elizabeth Trosch, who was no longer eligible for reappointment having served two full consecutive terms.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Jane Goble-Clark to the Juvenile Crime Prevention Council as the Substance Abuse representative and Ryon Smalls as a General Public representative.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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nominate and appoint Wanda Douglas and LaTonya Summers to the Juvenile Crime Prevention Council as General Public representatives for two-year terms expiring June 30, 2017, effective July 1, 2015.

They replace Douglas Edwards, who resigned due to personal reasons and Susan McCarter, who would no longer be eligible for reappointment having served two full consecutive terms.

PUBLIC ARTS COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Patricia Fletcher to the Public Arts Commission as the Business Community representative for a three-year term expiring June 30, 2018, effective July 1, 2015.

REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Natalie Tunney to the Region F Aging Advisory Committee as an Alternate representative for a one-year term expiring June 30, 2016, effective July 1, 2015.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Dorian Carter, Joe Padilla, John Shaul and Sasha Tomaszynski to the Small Business and Entrepreneurship Advisory Board for two-year terms expiring June 30, 2017, effective July 1, 2015.

The following persons were nominated by Commissioner Clarke for appointment consideration to the Small Business and Entrepreneurship Advisory Board: Terri DeBoo, Naomi Reale, Khalif Rhodes and Juanita Tackett.

Note: Appointments will occur on July 7, 2015.

STORM WATER ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Roger Diedrich to the Storm Water Advisory Committee as a Residential Neighborhood representative for a three-year term expiring June 30, 2018, effective July 1, 2015.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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reappoint Elizabeth Donovan to the Waste Management Advisory Board for a three-year term expiring June 30, 2018, effective July 1, 2015.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(15-2536) MECKLENBURG COUNTY YOUTH & FAMILY SERVICES PARTNERSHIP WITH MOSAIC-STYLE WITH LOVE CLOTHING STORE

The Board received information on a new program that provides free, new clothing to children in County custody and relative placements, per Mecklenburg County Youth & Family Services partnership with Mosaic-Style With Love Clothing Store.

A brief video was shown of the Mosaic-Style with Love Clothing Store grand opening on April 16, 2015 located at 10931 Independence Blvd. in Matthews, NC.

Note: This is a one-of-a-kind shopping experience for children in the County's custody that will provide feelings of value to foster children through the gift of free clothing.

Rev. Patrick McCrory, Carmel Baptist Church, owners of the store, addressed the partnership. He was accompanied at the podium by Bobette Willis with Youth and Family Services.

(15-2665) C. W. WILLIAMS CARRY FORWARD

Assistant County Manager Mark Foster addressed the proposed carry forward to fiscal year 2016, \$390,000 of Restricted Contingency funds for C. W. Williams Health Center with release pending compliance with the revised FY15 conditions.

Note: Mecklenburg County conditions to release C.W. Williams restricted contingency funds for the FY15 Homeless Grant subject to approval by the Board of County Commissioners:

- *Completion of a financial audit for the fiscal year ending March 31, 2015*
- *Completion of a federal bankruptcy court-approved reorganization plan that will specifically articulate how C.W. Williams will restructure its operations and business model to ensure long-term financial sustainability and repay creditors*
- *Continued approval by the federal government of the FY2015 conditional CW Williams HRSA grant at current funding levels*
- *Award of a FY2016 competitive HRSA Grant at funding levels sufficient to meet the bankruptcy court-approved reorganization and creditor payment plan*
- *Agreement that a staff member for the County's Financial Services Department have a seat on the Board of Directors*

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- *Funds (if continued) will be distributed monthly and CW Williams must submit the invoices that will be paid with the County's money – funds cannot be used to satisfy any outstanding liabilities*

Debra Weeks, CEO of C. W. Williams Health Center spoke in support of the carry-forward and C.W. Williams' commitment to turn things around.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake, to carry forward to fiscal year 2016, \$390,000 of Restricted Contingency funds for C. W. Williams Health Center with release pending compliance with the revised FY15 conditions.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough, to amend the original motion by adding secondly, to appropriate \$10,000 from FY15 Unrestricted Contingency funds for the Greater Gethsemane Enrichment Program and that the funds carry forward into FY16.

Commissioner Leake said the Enrichment Program was a program that enhanced the lives of children.

Commissioner Ridenhour questioned the timing of the request. He said the request should have been made during the Board's straw vote session that took place on June 11, 2015. Commissioner Ridenhour said the Enrichment Program should be required to go through the same process as other agencies that requested funding.

The vote was then taken on the motion by Commissioner Leake, seconded by Commissioner Scarborough, and carried 6-3 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes and Commissioners Clarke, James, and Ridenhour voting no, to amend the original motion by adding, secondly, to appropriate \$10,000 from FY15 Unrestricted Contingency funds for the Greater Gethsemane Enrichment Program and that the funds carry forward into FY16.

Commissioner Dunlap also questioned the timing of the request.

Commissioner Leake said what she was proposing with respect to the Enrichment Program, would not impact next year's budget or the decisions made by the Board at the straw vote session.

Commissioner Dunlap asked that the motion be divided.

The vote was then taken on the motion by Commissioner Scarborough, seconded by Commissioner Leake, and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to carry forward to fiscal year 2016, \$390,000 of Restricted Contingency funds for C. W. Williams Health Center with release pending compliance with the revised FY15 conditions.

Note: The next motion for consideration was the Enrichment Program.

Motion by Commissioner Leake, seconded by Commissioner Scarborough, to appropriate \$10,000 from FY15 Unrestricted Contingency funds for the Greater Gethsemane Enrichment Program and that the funds carry forward into FY16.

Commissioner James questioned the Enrichment Program's financial status.

Commissioner Puckett questioned whether action had to take place now or could it occur at a later date, since the funds were being proposed to come from unrestricted contingency.

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County Attorney Bethune said funds would not be available from the FY15 Unrestricted Contingency after tonight, but Unrestricted Contingency funds would be available in FY16 and could be used for the requested purpose if the Board desired to do so.

Substitute motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to place on the Board's July 7, 2015 agenda, consideration to appropriate \$10,000 from FY16 Unrestricted Contingency funds for the Greater Gethsemane Enrichment Program.

Prior to the above vote on the substitute motion, Commissioner James requested financial information on the Enrichment Program, as required of other agencies that request and receive County funding, as well as, any other information that's required.

Commissioner Leake said she was not opposed to the request for additional information.

(15-2657) FY16 CAPITAL IMPROVEMENT PROGRAM UPDATE

The Board received information on the proposed FY16 Capital Improvement Program. Finance Director Wanda Reeves, Park and Recreation Director Jim Garges, and CMS Chief Operating Officer Carol Stanford, and CMS staff Dr. Tenisha Barnes Jones, Project Lift Academy and Jimmy Chansey with the Career & Technical Education Program gave the report.

It was noted the projects would be brought to the Board for action at the July 7, 2015 meeting.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Chairman Fuller spoke favorably of the Second Ward Gym project.

Chairman Fuller asked about the Carolina Theater project timeline, which was addressed.

Commissioner Scarborough expressed excitement about the Carolina Theater project and noted that the late Al Russo would be pleased.

Commissioner Leake spoke favorably of the Second Ward Gym project and about the history of Second Ward. She also spoke favorably of the Carolina Theater project. Commissioner Leake suggested that upon completion of these projects that consideration be given to inviting those individuals with connection to both projects from a history standpoint, to participate in whatever type of grand opening ceremony that might be held.

Commissioner Cotham spoke favorably of the Second Ward Gym project, as well as, the Carolina Theater project. Commissioner Cotham suggested consideration be given to contributing more for the Carolina Theater project, since this was something that everyone in the County would benefit from.

County Manager Diorio said staff would look to see if there were any additional dollars available for the Board to consider allocating to the Carolina Theater project.

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Chairman Fuller said if there were additional funds, he wanted to make sure those dollars were for a specific purpose or programming.

Commissioner Puckett spoke favorably about Park and Recreation's view with respect to deferred maintenance.

Commissioner Leake asked about maintenance of smaller parks, particularly, neighborhood parks, which was addressed.

Commissioner Scarborough asked about college prep courses at West Charlotte High School, which was addressed.

Commissioner Scarborough said she was concerned that West Charlotte High School was being "pigeonholed" as a tech school rather than one for college bound students.

Commissioner Cotham asked about licensing for students that graduate with a cosmetology certificate, which was addressed.

Commissioner Cotham asked about CMS' process for determining which trades to offer, which was addressed.

Commissioner Cotham asked about the expansion of Project Lift, which was addressed.

Commissioner Leake commented on Phillip O'Berry. Commissioner Leake said the school was built to be a technical high school, but had not functioned in that capacity.

Commissioner Leake questioned why barbering wasn't being offered as a trade.

Commissioner Leake said CMS' Leadership School was set up to be a military school but was not.

Commissioner Leake expressed concern for the success of Project Lift and for the quality of the education students were receiving. Commissioner Leake said it should be more than about increasing the graduation rate, but rather students graduating and being ready for college or to take up a trade. Commissioner Leake said often students need remedial work after graduating.

Commissioner Leake questioned Project Lift's request for more funding when it was able to raise \$55 million.

Commissioner Ridenhour asked about South Mecklenburg High School, which was addressed.

Commissioner Puckett commented on the fact that Charter Schools do not come to the County for capital dollars, unlike CMS.

Commissioner Puckett commented on deferred maintenance as it related to CMS.

Commissioner Puckett said he, too, was confused about Phillip O'Berry and why it was not being used for the purpose it was built.

Note: This concluded the discussion. The above is not inclusive of every comment but is a summary.

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County Manager Diorio informed the Board that the James L. Ross Scholarship Fund appropriation in the amount of \$10,000, approved at the Board's Straw Vote session on June 11, 2015 for inclusion in the FY15-16 budget under Park and Recreation, Athletic Services, would be moved instead to Non-Departmental.

County Manager Diorio noted that when the matter was discussed during the Straw Vote session, it was with the understanding the funds would be used to provide golfing opportunities for children. County Manager Diorio said since that time, staff, after reviewing the documentation learned the funding was not for golf scholarships.

County Manager Diorio said funds were requested for the purchase of office equipment, laboratory furniture and literacy scholarships.

Commissioner James questioned using the funds for the purchase of office equipment. He suggested perhaps the County had used equipment that it could donate.

Chairman Fuller recommended the funds only be used for literacy scholarships.

County Manager Diorio suggested the funds be placed in restricted contingency and that staff be given an opportunity to discuss the request with the James L. Ross Scholarship representatives. County Manager Diorio said the matter would come back to the Board at a later date for the release of the funds.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to place in the FY15-16 Budget Ordinance, restricted contingency fund, \$10,000 for the James L. Ross Scholarship Fund.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2015-2016 as presented by the County Manager and included in the Board's agenda packet with the amendment to remove \$10,000 set aside for the James L. Ross Scholarship Fund from the Park and Recreation Department budget to restricted contingency.

Note: Approval of the Budget Ordinance adopts a balanced operating budget of expenditures and revenues for the period of July 1, 2015 through June 30, 2016 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of \$1.57 billion and maintains the current county property tax rate of 81.57 cents. It reflects the tax rate for the law enforcement service district at 21.14 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 6 cents; Cornelius = 5 cents; Davidson = 6 cents; Huntersville = 5 cents; and Mint Hill = 7 cents.

Ordinance recorded in full in Minute/Ordinance Book _____ Document # _____.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2639) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for June 2015.

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Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS

(15-2525) CDBG PLAN UPDATE -- 2015-2020 CONSOLIDATED PLAN AND FY16 ANNUAL PLAN

Assistant to the County Manager Timmothy Tibbs and Victoria Rittenhouse with the Centralina Council of Governments addressed the Five Year Consolidated Plan 2015-2020 and FY2016 Annual Action Plan for Mecklenburg County's Community Development Block Grant program.

Note: The program focuses on housing and community development needs of low-and-moderate-income persons.

A copy of the Plan is on file with the Clerk to the Board.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Five Year Consolidated Plan 2015-2020 and FY2016 Annual Action Plan for Mecklenburg County's Community Development Block Grant program, funded by the US Department of Housing and Urban Development.

(15-2647) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution of intent to exchange County owned Tax Parcel 077-079-01 (+/- 1.99 acres) for Tax Parcel 079-043-03 (+/- 2.501 acres) owned by Charlotte-Mecklenburg Housing Partnership, Inc.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #123-062-11 (± .172 acres) from the heirs of Phyllis C. Smith in the City of Charlotte for a purchase price of \$360,000.

Note: The property will be incorporated into the adjacent Wilmore Centennial Park at South End.

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COUNTY COMMISSIONERS REPORTS & REQUESTS

**(15-2667) RESOLUTION REQUESTING TERMINATION OF CONTRACT WITH I-77
MOBILITY PARTNERS**

Commissioner Puckett addressed a proposed resolution that he brought forth requesting termination of the contract between the State and I-77 Mobility Partners.

Commissioner Puckett said he and the northern towns officials were told by Senator Jeff Tarte, that if resolutions were passed requesting termination of the contract between the State and I-77 Mobility Partners, that he would submit a bill to discuss the funding.

Commissioner Puckett said the proposed resolution was essentially the same resolution passed by the Town of Cornelius. He noted also resolutions passed by the Town of Davidson and the Town of Huntersville.

Commissioner Puckett said it was made very clear from officials in the northern part of the County, that this may have been the best plan "at the time," but not the "best plan" at this time.

Commissioner Puckett asked the Board to support the resolution that supported the request made by Senator Tarte, which would then pave the way for Senator Tarte to go to the State and start the process of asking for alternatives.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, to adopt resolution entitled Mecklenburg Board of County Commissioners Resolution Requesting the Termination of the Contract with "I-77 Mobility Partners" To Toll I-77 For 50 Years and Subsequent Request For Alternative Funding.

Commissioner Clarke addressed the proposed resolution, as the Board's representative on the Charlotte Regional Transportation Planning Organization, formerly known as Mecklenburg Union Metropolitan Planning Organization (MUMPO). The following was noted:

- The planning process for this issue has been on-going for about 7 or 8 years.
- Input was given to the NC Department of Transportation (NC DOT).
- The Towns of Davidson, Huntersville, and Cornelius each have a representative on the Charlotte Regional Transportation Planning Organization (CRTPO).
- When this matter was discussed by CRTPO, no one from the towns expressed opposition or asked for a delay.
- The reason this project was moved forward, was because "we're faced with a real challenge", in light of the gas tax and highway tax revenue decreasing, yet needs were going up.
- Honoring obligations, particularly contractual obligations entered into in "good faith" was important.
- The proposed resolution "threatens" the State's reputation as being a reliable partner.
- The agreement was signed a year ago and was public knowledge.
- The project would create lots of jobs.

State Board of Transportation Chairman Ned Curran was recognized. He introduced NC DOT, Chief Deputy Nick Tennyson.

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NC DOT, Chief Deputy Nick Tennyson said transportation projects took a long time from “problem definition to construction.” He noted the following:

- The CRTPO studied the region (not just the I-77 South corridor) and reached the conclusion that future widenings in several corridors must include a user fee component.
- “With awareness that using managed lanes as the toll method was not risk free, the first of these projects was identified as a candidate for a public-private partnership (P-3).”
- P-3 was included in the plan for the region’s transportation, submitted for inclusion in the State Transportation Improvement Program, approved for the State Transportation Improvement Program by the Federal Highway Administration, and authorized for procurement.
- The procurement process was addressed.
- NC DOT held numerous public meetings, visits with local elected officials, participated in a working group from MUMPO/CRTPO technical team, and responded to public records requests.
- The Metropolitan Planning Organization did not submit any alternative project for scoring in the corridor.
- The project that was submitted, widening with a general-purpose lane from Exits 28—36, was put in by the Division Engineer to ensure that if the P-3 project could not proceed, we would at least have a scored project in the corridor.
- The NC DOT moved forward as it was obligated to do, to implement the State Transportation Improvement Program.
- The project was identified, procured and was moving to construction in accordance with all state and Federal rules.
- Terminating the contract at this point, without fault on the part of the concessionaire, would incur costs identified by the agreement which was projected to be on the order of \$100 million.
- The proposed resolution to the Board contains “assertions and assessments with which the NC DOT disagrees.”
- “NC, the entire nation, confronts a reality that our infrastructure demands vastly exceed our existing public funding capacity. Refusing to take advantage of the opportunity to bring a half billion dollars into the system via this project will mean we have to find it elsewhere, inevitably by failing to undertake a worthy project either in this region or elsewhere in the state.”
- “The projected growth in this region, the very limited topographical situation, the highly developed nature of potential expanded right-of-way, and the alternative of a managed lane that can provide predictable travel times far into the future, all add up as the best choice for using our limited funding. That was the Department’s opinion when the project was proposed by the Metropolitan Planning Organization. It remains our opinion today.”

The following persons appeared to speak from the public regarding this issue: Chuck Suter and William Rakatansky. Both spoke in support of the proposed resolution calling for the termination of the Contract with "I-77 Mobility Partners" To Toll I-77 For 50 Years.

Mr. Rakatansky also commented on other cities in the region and the number of lanes from their suburbs to the center city. Mr. Rakatansky said each of the areas noted had a minimum of three general purpose lanes in both directions, ranging from 10 – 38 miles long. None of which, he said had tolls.

Mr. Rakatansky said the most congested portion of I-77 in the Lake Norman area would be kept to a maximum of two general purpose lanes in each direction for 50 years; rather than having what other metro areas already have in general purpose lanes.

Comments

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Chairman Fuller asked about the cost of putting in additional lanes, which was addressed by Mr. Tennyson.

Chairman Fuller asked for clarity regarding the “non-compete” issue, which was addressed by Mr. Tennyson.

Chairman Fuller said he would interpret Mr. Tennyson’s response regarding the “non-compete” portion of the contract to mean it really wasn’t a non-compete, but more so, that if the state decided at some point in the future to add and/or expand lanes, using some other funding source, the contractor would receive some numeration; so that they would not lose money, based on what they thought they would originally get, as a result of those additional lanes being added.

Mr. Tennyson said Chairman Fuller’s statement, “fairly states the case.”

Chairman Fuller asked was that the arrangement for the entire 50 years. *The response was yes.*

Chairman Fuller asked about the overall success and failures of projects of this nature. *Mr. Tennyson addressed this and noted occurrences in other states where a project of this nature was not successful and why.*

Chairman Fuller asked about the TIFIA financing process, which was addressed.

Chairman Fuller asked about the consequences of terminating the contract. *Mr. Tennyson said the contract was signed in June of 2014, identified a specific liquidated damage amount for failure to move to financial close. He said once the project had achieved financial close and was terminated “for convenience” on the part of the State and not because the concessionaire failed to perform, the State would be contractually liable for refunding the debt that was in place, payment of the costs that were incurred by the developer; and there would be a determination regarding what the fair market value was for the project, which would also be a part of the settlement.*

Mr. Tennyson said he didn’t have a specific number, but it would be on the order of \$100 million.

Mr. Tennyson said the opportunity to claim the bonus money associated with the project would be lost. He said you then be in a position of trying to determine how to resolve the problem.

Commissioner Dunlap said fundamentally he was opposed to tolls but was open and willing to listen.

Commissioner Dunlap asked was it correct that Cintra USA would use property currently owned by taxpayers at no expense to build the toll road. *Mr. Tennyson said the improvements would take place on right-of-way owned by the State.*

Commissioner Dunlap asked would there be any compensation to the taxpayers of NC for the use of that property. *Mr. Tennyson said at the end of 50 years there would be a new or like new facility in place on that property. He said the State would not lose ownership of the right-of-way and would never give up the benefit of getting the project when it’s at its conclusion.*

Commissioner Dunlap asked in addition to allowing Cintra to use land currently owned by the taxpayers of NC, what additional taxpayer dollars were expected to be used to help this project. *Mr. Tennyson addressed the question. He said the public would put in \$95 million and if during the ramp up period, the project didn’t generate tolls consistent with the projection, there’s an obligation to contribute \$12 million annually, up to a total of \$75 million for the operation and maintenance costs of the project and debt service. Mr. Tennyson said the State would not pay any portion of their equity, \$250 million.*

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Commissioner Dunlap said in his opinion the taxpayers of NC were putting in close to \$500 million.

Commissioner Dunlap asked about the cost to build the road. *Mr. Tennyson said the initial construction cost was on the order of \$500 million.*

Commissioner Dunlap asked how many proposed tolls were there for throughout NC. *Mr. Tennyson said currently operating was Hwy. 540 in the Raleigh area, which would be extended to join up with I-40. He also noted the Mid-Currituck Bridge proposal, in Mecklenburg County I-77 in both the northern and southern sections, I-485 Project, and the Independence Boulevard Project; and the Monroe By-Pass Project.*

Commissioner Dunlap said based on Mr. Tennyson's response this opens up the door for tolls roads in Mecklenburg County.

Commissioner Dunlap said fundamentally he had a problem with the State using his taxpayer's dollars to build a road, that he then would have to pay to use.

State Board of Transportation Chairman Ned Curran noted his serving on the Committee of 21 in 2007. He said the report that came out of that committee in 2008 talked about the concern for the failure to Mecklenburg County's road transportation system. He said over 30 different funding sources were looked at. He said none of the funding sources came close to solving a \$12 billion shortfall in Mecklenburg County over the 25 year period from 2008 on. He said the only source of revenue that could be identified was "tolling." He said it was stated at that time that tolling had to be looked at seriously. He said a fast lane study was also done by the MPO, which included polling local populations in the area, that generally favored tolling, when made aware of the consequences of not having that enhanced revenue source to do something about the transportation system.

Mr. Curran said a state committee, the 21st Century Committee, also came up with the same conclusion.

Mr. Curran said without tolling the State would not be able to keep up.

Commissioner Dunlap questioned the State accelerating the contract in light of concerns expressed by residents.

Mr. Curran said there was no acceleration of the contract. He said the contract was signed a year ago and then the State worked through the financial close components.

Mr. Curran said this was a massive undertaking. He said cancelling the contract would cost the State up to \$100 million and the region \$145 million in bonus money.

Commissioner Puckett asked the representatives from the NC DOT if they felt the facts they outlined were accurate. *The response was yes.*

Commissioner Puckett asked about the bonus money and what it would do. *Mr. Tennyson said the bonus money would allow MPO's in the areas where toll projects reside, to have additional money to make transportation improvements.*

Commissioner Puckett asked would the County's MPO have the authority to spend \$144 million in bonus money as they wished. *Mr. Tennyson said it would have to be spent on highway projects, in Mecklenburg County and Iredell County.*

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Commissioner Puckett asked if \$75 million of the \$145 million allocated for two interchanges over the toll lane. *Mr. Tennyson said it was his understanding MPO proposals had been made reflecting the wishes of the members of the MPO to make those investments.*

Commissioner Puckett said what if the community didn't want to spend \$75 million to build two interchanges that feed traffic only onto the toll lane. He asked could those funds be spent somewhere else. *Mr. Tennyson said NC DOT did not control where that money was spent.*

Commissioner Puckett asked if there would be a problem with the contract if those interchanges weren't built. *Mr. Curran said for many months the MPO/CRTPO evaluated a series of values, methodologies around how the bonus money would be spent. He said it was the MPO/CRTPO that came up with those recommendations.*

Commissioner Puckett said the CRTPO probably made that decision because currently the way it was designed, you would no longer be able to get off on Exit 23 , 25, or 28.

Commissioner Puckett asked was it accurate regarding the exits he mentioned. *Mr. Tennyson said it might be accurate from drawings that were a part of the general description of the project, but that it was not accurate in terms of how the project would operate ultimately.*

Mr. Tennyson said there were a minimum number of access and egress points described in the agreement but the operator, ultimately, based on design is able to relocate those after consultation with a group of local stakeholders. He said that process was currently taking place.

Commissioner Puckett questioned the finalization of the design.

Commissioner Puckett asked was it correct the interchanges would feed traffic only onto the toll lane and not general purpose. *Mr. Tennyson said if the determination of the MPO was that transportation would be enhanced by making that decision then that's their decision.*

Commissioner Puckett said there was overwhelming opposition to the toll road by residents in north Mecklenburg County and Iredell County.

Commissioner Puckett said he understood that years ago there weren't many options, but that's not the case now. Commissioner Puckett said he understood there would be costs to go in a different direction at this point, however, there were alternatives available now that weren't years ago.

Commissioner Puckett asked about the bidding process, which was addressed.

Commissioner Puckett asked if in January 2014 was Cintra the only "player." *The response was no.*

Commissioner Puckett asked about scoring in the corridor. He asked was it done for the 13 miles, roughly from Exit 23 to 36. The response was no. *Mr. Tennyson said they scored under STI the only project that was in there, which was Exits 28 – 36.*

Commissioner Puckett said that small of a project Exits 28-36 would not have had any interest from P-3, which was why the project had to be made larger to attract investment interest. *Mr. Tennyson said a project did have to reach a certain scale before it attracts investment.*

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Mr. Tennyson said it was important to keep in mind that the 26 miles project was put forward by the MPO, approved in 2011, approved again in 2012, and was the project the State was working on.

Commissioner Puckett asked about an economic impact study of this project on the region. *Mr. Tennyson said he was not aware of any economic impact study that was done.*

Commissioner Puckett said he didn't think there was an economic impact study because the NC DOT wasn't required to do one. He said NC DOT was just required to build the road.

Mr. Tennyson said NC DOT responded to an MPO priority, with the awareness that failure to relieve congestion in this corridor would have "damaging" economic effect on the corridor with a no build answer.

Commissioner Puckett said the business community in the area of the project have all said the project was a "disaster" from an economic point.

Mr. Curran addressed the design phase.

Mr. Curran said as a reminder, that the contract had been signed. He said the proposed resolution before the Board would cost \$145 million to the region and \$100 million to the State to cancel. He said it was not about trying to go back and evaluate different options at this point.

Commissioner Puckett said he understood there was a cost to get out of the contract, however, the economic impact of this over 50 years would make a \$100 million look like "spare change."

Commissioner Puckett said this project works from a transportation point of view but not from an economic and land use point of view.

Commissioner Puckett said \$75 million of the \$145 million bonus money would have to be used to build the exits that would be needed. Thus, it's really not \$145 million bonus money, but rather \$75 million.

Commissioner Puckett concluded by saying he could appreciate that NC DOT had a job to do and that it did the "very best" it could under the constraints it had. Commissioner Puckett said, however, it was a "new day" with new options. He said the economic impact had to be looked at. He said the business community and the elected officials in this area of the project, were "begging" the NC DOT not to make a 50 year "bad" decision.

Commissioner Cotham encouraged NC DOT officials to listen to the concerns of the people and "fix it."

Commissioner Cotham said if a mistake was made that was okay, acknowledge it, and "fix it."

Commissioner Leake asked about the cost of the toll and questioned the length of the contract. Commissioner Leake said 50 years was a long time.

Commissioner Leake said she didn't recall receiving any reports from the MPO or the Board's representative regarding this matter.

Mr. Tennyson said the average projected toll cost was \$2.50. Mr. Tennyson said 50 years was the common contract term for P-3 infrastructure investments.

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Commissioner James said the Board probably wasn't kept informed of the project because the County didn't have anything to do with the project.

Commissioner James said he did not have an issue with toll roads, but that the concern had to do with where the exits would be.

Commissioner James said he would support the proposed resolution even though the County was not a party to the agreement and had no authority over the matter. Commissioner James said the resolution did, however, provided support to those residents in the northern part of the County that have expressed opposition.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Dunlap, and failed 8-1 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting no and Commissioner Clarke voting yes, to table consideration of the proposed resolution entitled Mecklenburg Board of County Commissioners Resolution Requesting the Termination of the Contract with "I-77 Mobility Partners" To Toll I-77 For 50 Years and Subsequent Request For Alternative Funding, pending receipt of an analysis prepared by a nationally recognized independent consultant of the financial and reputational consequences to the State and this region of terminating this contract. Secondly, pending the receipt of an alternative plan of financing for additional lanes that would relieve the congestion on the entire 26 miles segment of I-77 north within the same timeframe as the express lane proposal and at approximately the same cost to the State of NC that has the backing of the planning organization, the NC DOT, and has a committed, non-contingent source of funding.

Chairman Fuller expressed his opinion with respect to terminating the contract. Chairman Fuller said he had not heard anything regarding what would happen if the contract was terminated; what's the alternative.

Chairman Fuller said he was still "troubled by this deal," but what "troubled" him more was the "notion" of simply spending \$100 million of the state's money to get out of this contract and have no plan for what to do then.

Chairman Fuller said if the resolution said something along the lines of "we encourage a renegotiation or an amendment of the contract," then he could go along with that.

Chairman Fuller said to advocate a position to terminate the contract was responsible.

Chairman Fuller said "clearly" there was something the public was responding to that was "legitimate" and that needed to be "fixed." He said the question was whether or not terminating the contract was going to "fix it."

Chairman Fuller said he had not seen anything that would lead him to believe terminating the contract would fix the problem that everyone was "complaining" about.

Chairman Fuller said with respect to the resolution, that if it said the public's concerns were legitimate, that there were questions that needed to be answered, things that needed to be changed, then that's what should be said.

Chairman Fuller concluded by saying he could not support calling for the termination of the contract.

Commissioner Puckett offered an amendment to his proposed resolution by adding the following words to the Resolved paragraph, "and ask the NC Legislature and Governor McCrory to start immediate investigation into reasonable alternative funding sources."

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Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 7-2 with Commissioners Cotham, Dunlap, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioners Clarke and Fuller voting no, to adopt resolution entitled Mecklenburg Board of County Commissioners Resolution Requesting the Termination of the Contract with "I-77 Mobility Partners" To Toll I-77 For 50 Years and Subsequent Request For Alternative Funding as amended.

**MECKLENBURG BOARD OF COUNTY COMMISSIONERS
RESOLUTION REQUESTING THE TERMINATION OF THE CONTRACT WITH "I-77 MOBILITY
PARTNERS" TO TOLL I-77 FOR 50 YEARS and SUBSEQUENT REQUEST FOR ALTERNATIVE
FUNDING**

WHEREAS, the Final Draft of the Comprehensive Agreement between the North Carolina Department of Transportation (NCDOT) and I-77 Mobility Partners (the Developer) requires the NCDOT to compensate the Developer if any future interstate improvement results in a decrease in toll revenues along the planned I-77 HOT lane corridor; and

WHEREAS, Governor McCrory has a bond referendum that could fund widening of Interstate 77 (I-77) with general purpose lanes and even without the bond there are funds available to widen I-77 without a 50 year toll lane contract; and

WHEREAS, the motorsports community, members of the manufacturing sector, service and retail sectors, as well as other business owners have come out against the toll lane plan outlining how the current toll based plan will hurt their businesses; and

WHEREAS, in recent polls, more than 90 percent of our constituents in north Mecklenburg County and of residents of Iredell County oppose the 50-year toll contract for I-77; and

WHEREAS, I-77 can be widened for approximately \$100 million dollars using public funds that citizens have paid for through the gasoline tax, and the toll lane project will cost state taxpayers approximately \$240 million dollars; and

WHEREAS, the toll lane project aims to gross \$34 million a year from drivers on the HOT lanes, which is likely to adversely impact our local economy as a result of residents having less discretionary income; and

WHEREAS, Interstate 77 is a primary evacuation route for two nuclear power stations in the event of an accident or terrorist attack, and the fastest, least-intrusive manner to add capacity to I-77 is with general purpose lanes from near exit 23 to 36, which does not require tearing down of bridges and other unnecessary and complex work that is required to accommodate toll lanes; now, therefore, be it

RESOLVED, on the behalf of the citizens that we represent, the Mecklenburg Board of County Commissioners respectfully asks that the planned 50 year toll contract for Interstate 77 between the NCDOT and I-77 Mobility Partners be immediately terminated, and the widening of I-77 with general purpose lanes begin as soon as reasonably possible; and ask the N.C. Legislature and Governor McCrory to start immediate investigation into reasonable alternative funding sources.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

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(15-2669)

SELECTION OF NACO VOTING DELEGATE AND ALTERNATE

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to select Chairman Fuller as the County's voting delegate and Commissioner Leake as its alternate for the 2015 National Association of Counties (NACo) Annual Conference to be held July 10-13, 2015 in Mecklenburg County. In the event the Board's representatives do not pick up the County's ballot, the president of the NC Association of County Commissioners (or his/her designee) is authorized to pick up the County's ballot and cast the County's votes.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2625)

BUDGET AMENDMENT -- FLEET AUCTION REVENUE

Recognize vehicle auction revenue of \$93,509.83 and appropriate to the Fleet Reserve Fund.

(15-2631)

BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate additional Child Care Subsidy revenue of \$200,000 from the North Carolina Division of Child Development and Early Education (DCDEE).

(15-2632)

RESOLUTIONS -- CITY OF CHARLOTTE'S AND THE TOWN OF PINEVILLE'S STORM WATER MINOR SYSTEM RATES

Adopt Resolution AUTHORIZING CHANGES TO THE MINOR SYSTEM COST COMPONENT OF THE STORM WATER SERVICE CHARGES TO BE LEVIED WITHIN THE CITY OF CHARLOTTE.

**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION AUTHORIZING CHANGING THE MINOR SYSTEM COST COMPONENT OF THE STORM
WATER SERVICE CHARGES TO BE LEVIED WITHIN THE CITY OF CHARLOTTE**

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the "Mecklenburg County Storm Water Management Plan" which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County and the City of Charlotte entered into "AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY" (hereinafter "Agreement") to deal with the operation and maintenance of the storm water drainage system within the incorporated limits of the City; and

WHEREAS, on May 11, 2015, the Charlotte City Council held a public hearing and on May 19, 2015, the Mecklenburg County Board of Commissioners held a public hearing on a proposed changes in the minor system component of the storm water service charges to be levied on properties within the City of Charlotte; and

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WHEREAS, on June 09, 2015 Mecklenburg County received notification from the City Manager to change the minor system cost component of the storm water service charge to be levied on properties within the City of Charlotte; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the City to such amounts as determined by the City Council; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2015 the minor system component of the storm water service charge to be levied on properties within the City of Charlotte are as follows:

- \$ 5.52 per month (no change) for detached single family residences with 0-1,999 square feet of impervious area (Tier I)
- \$ 8.13 per month (no change) for detached single family residences with 2,000 - 2,999 square feet of impervious area (Tier II)
- \$ 12.04 per month for detached single family residences with 3,000 - 4,999 square feet of impervious area (Tier III)
- \$ 19.91 per month for detached single family residences with 5,000 or more square feet of impervious area (Tier IV)
- \$143.73 per month for each acre of impervious surfaces for all other residential or non-residential properties and a prorata share of each portion thereof.

Adopt Resolution AUTHORIZING CHANGES TO THE MINOR SYSTEM COST COMPONENT OF THE STORM WATER SERVICE CHARGES TO BE LEVIED WITHIN THE TOWN OF PINEVILLE.

**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION AUTHORIZING CHANGING THE MINOR SYSTEM COST COMPONENT OF THE STORM WATER SERVICE CHARGES TO BE LEVIED WITHIN THE TOWN OF PINEVILLE

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County and the Town of Pineville entered into “AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY” (hereinafter “Agreement”) to deal with the operation and maintenance of the storm water drainage system within the incorporated limits of the Town of Pineville; and

WHEREAS, on May 13, 2015, the Town of Pineville held a public hearing and on May 19, 2015, the Mecklenburg County Board of Commissioners held a public hearing on a proposed changes in the minor system component of the storm water service charges to be levied on properties within the Town of Pineville; and

WHEREAS, on June 10, 2015 Mecklenburg County received notification from the Town Manager to change the minor system cost component of the storm water service charge to be levied on properties within the Town of Pineville; and

WHEREAS, Section 5(iii) of the Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the Town of Pineville to such amounts as determined by the Town of Pineville’s Board of Commissioners; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2015 the minor system component of the storm water service charge to be levied on properties within the Town of Pineville are as follows:

- \$ 1.41 per month for single family residences with 1,999 square feet or less of impervious area (Tier I)

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- \$ 2.04 per month for single family residences with 2,000 but less than 2,999 square feet of impervious area (Tier II)
- \$ 2.91 per month for single family residences with 3,000 but less than 4,999 square feet of impervious area (Tier III)
- \$ 5.32 per month for single family residences with 5,000 or more square feet of impervious area (Tier IV)
- \$ 37.46 per month for each acre of impervious surfaces for all other residential or non-residential land, and a prorata share of each portion thereof.

Resolutions recorded in full in Minute/Ordinance Book _____ Documents # _____ and _____.

(15-2633) BUDGET AMENDMENT -- DSS (CARRY FORWARD OF UNSPENT FUNDS AND REVENUE/EXPENSE INCREASE)

Carry forward all funds related to the Adoption Promotion Program that remain unspent June 30, 2015, estimated to be \$235,399; and recognize, receive and appropriate additional funds in the amount of \$288,000 from Adoption Promotion Funds for the grant period.

(15-2634) BUDGET AMENDMENT -- CARRY FORWARD ESTIMATED UNSPENT FUNDS (COMMUNITY SUPPORT SERVICES)

Carry forward estimated unspent Community Support Services funds in the amount \$27,000 received through the City of Charlotte from the Foundation for the Carolinas to partially fund two (2) Management Analyst positions; and carry forward estimated unspent county funds in the amount of \$1,492,572 related to the Housing Stability Partnership which will be used in FY16.

(15-2637) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursements funds of \$16,620 for Park and Recreation; \$3,222 for Sheriff and \$1,393 for Asset and Facility Management.

Note: All reimbursements are for stolen and damaged items.

(15-2642) CAPITAL RESERVE EXPENDITURE -- IMPROVED SOCCER FIELDS (PARK AND RECREATION)

Appropriate expenditure of up to \$11,000 from the Improved Soccer Field Capital Reserve Fund to expand the rehabilitation of soccer fields at Colonel Francis Beatty Park and McKee Road Park.

(15-2643) MINUTES

Approve Minutes of Regular meeting held June 2, 2015, Special Meeting held June 11, 2015 and Closed Session held June 2, 2015.

(15-2645) LAND DONATION -- BARTON CREEK GREENWAY

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Accept the donation of a temporary access easement on a portion of tax parcel 047-261-01 along Stanborough Court from Welwyn Cluster Homeowners Association, Inc.

Note: A temporary access easement is needed from the Welwyn Cluster Homeowner's Association, Inc. along Stanborough Court to get equipment and materials to the greenway trail construction site. The temporary access easement would terminate at the end of the construction project. Barton Creek Greenway trail design is currently being finalized. It is anticipated that construction will begin in Spring of 2016.

(15-2646) LAND ACQUISITION -- FORMER SECOND WARD HIGH SCHOOL GYM

Accept a deed for the former Second Ward High School Gymnasium building and front lawn, a portion of Tax Parcel #125-071-26 (+/- 1.47 acres), from the Charlotte-Mecklenburg Board of Education, to be used primarily for park and recreation purposes; and

Authorize the County Manager to negotiate and execute an agreement with the Board of Education titled "Agreement Regarding Former Second Ward High School Gymnasium" related to the use and operation of the gym, front lawn, and adjacent parking lot; and

Authorize the County Manager to request that the City release the former Second Ward High School Gymnasium building and front lawn from the reverter provision in the City's 1950 deed to the Board of School Commissioners of the City of Charlotte.

(15-2649) DONATION -- DUKE ENERGY (PARK AND RECREATION)

Accept and appropriate a \$1,000 donation from Duke Energy as reimbursement for supplies used for a Duke Energy sponsored employee volunteer maintenance project at Latta Park.

(15-2650) RESTORATION OF CHARLOTTE GENERAL MOTORS NEW LOOK BUS 1074 (HISTORIC LANDMARKS COMMISSION)

Recognize and appropriate up to \$45,000 in the Historic Landmarks Revolving Fund for the restoration of the Charlotte General Motors New Style Bus No. 1074.

Note: The HLC acquired the Charlotte General Motors New Look Bus 1074 in 1992 from the Charlotte Area Transit System (CATS) to assure the preservation of the last vehicle of its type that traveled the streets of Charlotte. The City of Charlotte has designated the Charlotte General Motors New Look Bus 1074 a historic landmark as defined in N.C.G.S. 160A-400.

(15-2651) TAX REFUNDS

Approve refunds in the amount of \$8,203.79 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

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Approve refunds in the amount of \$56,743.92 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

(15-2652) TORRENCE LYTLE SCHOOL (HISTORIC LANDMARKS COMMISSION)

Recognize and appropriate up to \$455,000 in the Historic Landmarks Revolving Fund for structural stabilization and hazardous material abatement for the Torrence Lytle School, Huntersville, NC.

(15-2653) DONATION -- "TEAM ANDY" (PARK AND RECREATION THERAPEUTIC RECREATION)

Accept and appropriate a donation of \$1,000 from "Team Andy" to the Therapeutic Recreation Section's Therapeutic Recreation Summer Day Camp to support scholarships for youth and teens with autism.

(15-2655) GRANT APPLICATION -- NEW PATHWAYS FOR FATHERS AND FAMILY

Approve grant application for up to \$1,500,000 for New Pathways for Fathers and Family; and if awarded, recognize, receive and appropriate the funds for the grant period.

NOTE: The grant awards will be distributed in FY16 and will help fathers establish or strengthen relationships with their children, improve long-term stability and overcome obstacles and barriers that prohibit them from being the most effective and nurturing parents, who make regular and reliable child support payments. Targeted non-custodial parents include low-income adult fathers and fathers between the ages of 16 and 24.

(15-2660) PRIVATE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESIDENTS

Approve Amended Resolution authorizing Carolina Healthcare's plan to use a private agency to transport respondents between their facilities in involuntary commitment proceedings to include counties other than Mecklenburg within North Carolina.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2661) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Recognize and appropriate \$95,000 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund; and

Recognize and appropriate \$48,000 from the Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund

Note: All funds collected through Jail commissary operations are used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

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All funds received from 16.8 percent of commissions from the inmate telephone system are used for inmate vocational education programs.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:47 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, July 7, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2670, 15-2677, 15-2681, 15-2682, 15-2687, 15-2688, and 15-2690 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

**(15-2673, 15-2680, 15-2693, 15-2706) CLOSED SESSION – CONSULT WITH ATTORNEY, BUSINESS LOCATION
AND EXPANSION, LAND ACQUISITION AND PERSONNEL MATTER**

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 227-023-13 and 227-023-19; 213-091-25; and 057-172-57.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Business Location and Expansion, Land Acquisition and Personnel Matter.

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The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:30 p.m.

Commissioners Clarke and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Scarborough, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(15-2671) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Dr. Wilhelmenia Rembert, former County Commissioner, appeared on behalf of the Greater Enrichment Program Board of Directors. Dr. Rembert thanked the Board and particularly Commissioner Leake for its recent offer of \$10,000 to the Greater Enrichment Program, a forthcoming request from Commissioner Leake to the Board. Dr. Rembert informed the Board, however, that the Greater Enrichment Program wished to respectfully decline that offer. Dr. Rembert said apparently there was some miscommunication. She said the Greater Enrichment Program did not request funding and would never do so without going through the County's Outside Agency Grant process.

Vincent Jacobs addressed a concern for Child Support Records Management, which he said needed to be reformed. Mr. Jacobs said he received an apology for something that was supposed to have happened but did not happen, and as a result, he was arrested and went to court. He also noted to the Board that he lost his job and has had difficulty finding employment. Mr. Jacobs acknowledged that his first child support check did not clear. He said he went to Child Support Services and was given a form that said additional funds would be taken out of his check to make up the difference for that single check. He said every check after that came out of his payroll, so that was no longer a problem. Mr. Jacobs said instead, they took out a warrant for his arrest. He said he was not aware of that until after he lost his job and was seeking other employment. He said because he supports financial systems within financial organizations, like Bank of America and Wells Fargo, and prior to now, Carolinas Healthcare's Division of Finance, he was now unable to secure employment. Mr. Jacobs said his son didn't need an apology, nor did an apology "house him." Mr. Jacobs said he and his son's mother were not together, but they were together on the idea of making sure their son was taken care of and that he has the ability to do so. Mr. Jacobs said he spoke to an attorney regarding his situation and that he had filed a motion to receive appropriate relief. Mr. Jacobs said he did his due diligence in that regard, but received some "disturbing" news in regards to the process of even doing that.

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CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Scarborough, and Ridenhour voting yes, to move the Consent items up on the agenda with the exception of those that were pulled.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2672) MINUTES

Approve Minutes of Regular meeting held June 16, 2015 and Closed Session held June 16, 2015 and June 2, 2015.

(15-2675) GRANT APPLICATION -- FEMA LETTERS OF MAP CHANGE - LUESA

Approve submittal of a grant application for up to \$40,000 with the Federal Emergency Management Agency; and if awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement; and authorize the carry-forward of unspent funds for the duration of the grant.

(15-2676) DONATION -- OUTDOOR FITNESS EQUIPMENT FOR MARION DIEHL PARK FROM SOUTHMINSTER

Recognize and receive a donation of outdoor fitness equipment and materials from Southminster for a multi-generational playground and fitness area to be installed on the Marion Diehl Park campus.

(15-2678) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$1,722 for Park and Recreation and \$1,438 for Asset and Facility Management.

Note: All reimbursements are for stolen and damaged items.

(15-2679) LAND DONATION -- LITTLE SUGAR CREEK GREENWAY – ITEM WAS REMOVED FROM THE AGENDA

(15-2683) LAND EXCHANGE -- DOUBLE OAKS POOL SITE

Adopt a resolution authorizing the exchange of County owned Tax Parcel 077-079-01 (+/- 1.99 acres) for Tax Parcel 079-043-03 (+/- 2.501 acres) owned by Charlotte Mecklenburg Housing Partnership, Inc. (CMHP).

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Note: CMHP would like to acquire the County's Parcel to encourage commercial development adjacent to the Brightwalk neighborhood. The parcel the County will obtain will be used as a replacement site for the Double Oaks Pool facility which has outlived its useful life.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2684) CONSTRUCTION CONTRACT -- IRWIN CREEK GREENWAY WEST BOULEVARD TO REMOUNT ROAD

Award a construction contract to OnSite Development, LLC in the amount of \$1,201,092.00 for the construction of Irwin Creek Greenway between West Boulevard and Remount Road.

(15-2691) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Preferred Homes of Charlotte, LLC, owner of property at 2001 Woodland Drive (Tax Parcel 131-102-04), for \$133,000; and
2. Accept the Offer of Sale of Real Estate from Gloria McNeill, owner of property at 3766 Dresden Drive East (Tax Parcel 131-092-02), for \$135,000; and
3. Accept the Offer of Sale of Real Estate from Martina Ackridge, owner of property at 5117 Dolphin Lane (Tax Parcel 099-081-06) for \$92,000; and
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: Acquisitions are a part of the Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

(15-2694) DECLINE STATUTORY RIGHT OF FIRST REFUSAL -- J.M. ROBINSON MIDDLE SCHOOL

Decline the County's Statutory Right of First Refusal for all property (current and future) located on the J. M. Robinson Middle School site that the Charlotte-Mecklenburg Board of Education (CMBE) proposes to lease to United States Performance Center, LLC (USPC) for construction and operation of a sports training facility.

(15-2695) LAND DONATION -- LONG CREEK GREENWAY (MULVANEY GROUP LTD.)

Accept the donation of Tax Parcel 025-312-99 (±0.219 acres) for the future construction of a portion of Long Creek Greenway trail from Mulvaney Group LTD.

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(15-2696) LAND DONATION -- LONG CREEK GREENWAY (NCDOT)

Accept the donation of Tax Parcel 031-421-98 (± 0.63 acres) for the future construction of a portion of Long Creek Greenway trail from the North Carolina Department of Transportation.

(15-2697) EASEMENT DONATION -- CLARK'S CREEK GREENWAY

Accept the donation of a temporary construction easement on a portion of Tax Parcel 027-601-16 (± 166 square feet) from Necolia Taylor and Mackie McBride and a portion of Tax Parcel 027-601-17 (± 772 square feet) from Kevin McMahan.

Note: Asset and Facility Management and Park and Recreation are currently working on the design of a neighborhood access trail and bridge to connect the Hampton Place neighborhood to existing Clark's Creek Greenway in north Charlotte. Temporary construction easements are needed from two property owners adjacent to where the neighborhood access trail will terminate at the end of Lookout Point Drive. The temporary construction easements will be used to get construction equipment and materials to the project site. The temporary construction easements would terminate at the end of the construction project.

(15-2698) SET PUBLIC HEARING -- AMENDMENTS TO THE MECKLENBURG COUNTY FLOODPLAIN REGULATIONS

Set a public hearing for Tuesday, August 4, 2015 at 6:30 pm to receive public comments on proposed revisions to the Mecklenburg County Floodplain Regulations.

(15-2699) DECLINE THE COUNTY'S STATUTORY RIGHT OF FIRST REFUSAL -- CMS CELL TOWER SITES

Decline the County's Statutory Right of First Refusal for property that Charlotte-Mecklenburg Board of Education (CMBE) proposes to lease to Berkley Group, LLC at the following school sites:

- 1) Bailey Middle/Hough High Schools
- 2) Barnette Elementary/Bradley Middle Schools
- 3) Hawthorne High School.

(15-2700) TAX REFUNDS

Approve refunds in the amount of \$414,148.92 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

A list of the refund recipients is on file with the Clerk to the Board.

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(15-2704) ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD TRAVEL POLICY

Approve Mecklenburg County Alcoholic Beverage Control (ABC) Board 2015-2016 Travel Policy.

Note: G.S. 18B-700, as amended by S.L. 2010-122 allows a local ABC Board to adopt a travel policy if it conforms to the travel policy of the appointing authority and is approved by the appointing authority. The Mecklenburg Board of County Commissioners is the appointing authority for the Mecklenburg County ABC Board. The Mecklenburg County ABC Board travel policy is identical to the County policy except for changes to conform with appropriate department names, titles and forms. This item is brought to the Board of County Commissioners annually.

Policy recorded in full in Minute/Ordinance Book _____, Document # _____.

(15-2705) SUBCONTRACTOR PREQUALIFICATIONS -- CONSTRUCTION MANAGER @ RISK FOR LAND USE AND ENVIRONMENTAL SERVICES (LUESA) RELOCATION AND VALERIE C. WOODARD RENOVATION

Approve the first-tier Subcontractor Prequalification procedure and Minority Women and Small Business Enterprise (MWSBE) Participation Plan including assessment tools and criteria provided by Rodgers Builders for the Land Use and Environmental Services Agency (LUESA) Relocation and Valerie C. Woodard Renovation.

(15-2712) PROCLAMATION: BIG DAY AT THE LAKE

Adopt a proclamation designating July 18, 2015 as "Big Day At The Lake".

Note: Big Brothers Big Sisters of Greater Charlotte's mission is "Helping children in need reach their potential through professionally supported one-to-one mentoring relationships with measurable impact." Big Brothers Big Sisters of Greater Charlotte was founded in 1972 and is an affiliate of Big Brothers Big Sisters of America. On July 18, 2015, the Big Day at the Lake Committee will hold its annual "Big Day at the Lake Day" on Lake Norman for participating youth, families and volunteers.

A copy of the proclamation is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Clarke left the dais and was away until noted in the minutes.

(15-2685) APPOINTMENTS

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake, to appoint Terri DeBoo for a two-year term expiring June 30, 2017 and Naomi Reale and Khalif Rhodes to fill unexpired terms expiring June 30, 2016 on the Small Business and Entrepreneurship Advisory Board.

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Commissioner Puckett suggested the Board follow its normal process of voting on nominees individually.

The vote was taken on the following nominees for appointment to the Small Business and Entrepreneurship Advisory Board:

Round One

Terri DeBoo	Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough
Naomi Reale	Commissioners Puckett and Ridenhour
Khalif Rhodes	Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough
Juanita Tackett	Commissioners Cotham, Dunlap, and Fuller

Round Two

Naomi Reale	Commissioners Puckett, Scarborough, and Ridenhour
Juanita Tackett	Commissioners Cotham, Dunlap, and Fuller

Commissioner Clarke returned to the dais.

Round Three

Naomi Reale	Commissioner Ridenhour
Juanita Tackett	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, and Scarborough

Chairman Fuller announced the appointments of Terri DeBoo to the Small Business and Entrepreneurship Advisory Board for a two-year term expiring June 30, 2017 and Khalif Rhodes and Juanita Tackett to fill unexpired terms expiring June 30, 2016.

They replace Pamela Lue-Hing, who declined reappointment consideration, Antonia Childs, who failed to meet the attendance requirement for 2014 and Juan Giometti, who relocated out of Mecklenburg County.

(15-2686) NOMINATIONS/APPOINTMENTS

BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Matt McNeill, Chris Price and Charles Roberts to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2016, effective July 19, 2015. Secondly, to reappoint Charles Roberts as Chair of the Board of Motor Vehicle Review for the duration of his term.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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direct the County Attorney to find out if the term for the Board of Motor Vehicle Review could be longer than a one year term.

Note: Commissioner Dunlap suggested the term be changed to a three-year term, if possible.

(15-2711) APPOINTMENT: PLANNING COMMISSION - BOARD OF EDUCATION SLOT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Bolyn McClung to the Planning Commission as recommended by the Charlotte-Mecklenburg Board of Education for a three-year term beginning July 1, 2015 and expiring June 30, 2018.

He replaced Rev. Dwayne Walker, who is no longer eligible for reappointment having served two consecutive full terms.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(15-2666) FY2016 MECKLENBURG COUNTY COMMUNICATION PLAN

The Board received a presentation on the FY2016 Mecklenburg County Communication Plan. Danny Diehl, Public Information (PI) Director gave the report. The following was noted:

Mecklenburg County's Communication Plan aligns public information activities with the goals, objectives, and key communication messages of the organization. It is updated annually.

The elements of the plan consist of 1) Core Principles: To communicate timely, openly, & proactively; 2) Audiences: residents, BOCC, Manager, employees, media, and community partners

The following was also covered:

- Communication Strategy
- Direct Communications
- Internal Communications
- Web Services and Social Media
- Media Relations
- Community Relations
- Measuring PI

A copy of the report is on file with the Clerk to the Board.

Commissioner Cotham asked about the cost of commercials by different departments and was there a way to determine if the commercials had made a difference somehow.

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County Manager Diorio said staff would provide that information.

(15-2689) CAROLINA THEATRE RENOVATION AS ARTS CENTER

Motion was made by Commissioner Scarborough, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt "FY2016 Carolina Theatre Renovations Capital Project Ordinance" to provide \$4.2 million to help fund the renovation of the Carolina Theatre; and authorize the County Manager to negotiate and execute an agreement with 230 North Tryon, LLC. to help fund the renovation of the historic Carolina Theatre to serve as an arts and civic center.

Prior to the above vote, Michael Marsicano, President/CEO, Foundation For The Carolinas addressed this issue and responded to questions. It was noted that the additional funding being provided by the County would be used to return the Balcony's six historic murals and to return the historic marquees to the exterior of the Theatre. Construction for the Carolina Theatre is projected to begin during the first quarter of 2016.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

(15-2692) CAPITAL PROJECT ORDINANCES

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following capital project ordinances:

Note: Commissioner Leake requested information regarding the specific plans for the Second Ward Gym Renovation Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION SCHOOL FACILITIES
APPROVED NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

East Mecklenburg HS (\$12,744,000)
South Mecklenburg HS (\$18,360,000)
Northwest School of the Arts (\$12,420,000)

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$43,524,000 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the

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appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2015-2016 fiscal year	\$2,562,039
2016-2017 fiscal year	21,763,704
2017-2018 fiscal year	13,566,365
2018-2019 fiscal year	5,631,892

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 LIBRARY FACILITIES
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY of July 2015.

Section I. That for the purpose of providing funds, together with any other available funds, for the following project:
West Boulevard Library Renovation \$4,742,000

including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefor, \$4,742,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds:
2015-2016 fiscal year \$1,005,400
2016-2017 fiscal year 3,736,600

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
APPROVED IN NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY,

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NORTH CAROLINA, THIS THE 7th DAY OF July 2015.

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Harper Campus Phase 4	\$41,250,000
Levine Campus Phase 3	\$31,100,000

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$72,350,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds

2015-2016 fiscal year	\$3,414,000
2016-2017 fiscal year	30,812,000
2017-2018 fiscal year	38,124,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 LAND ACQUISITION
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July, 2015.

Section I. That for the purpose of providing funds, together with any other available funds, for providing land for present and future county corporate, open space and community college purposes and the acquisition of improvements thereon and interests in such real property, \$6,600,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the acquisition period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds
\$6,600,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue

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Service regulations.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:

Stevens Creek Nature Preserve (\$7,200,000)	Huntersville Recreation Center (\$1,500,000)
Hucks Road Regional Park (\$3,600,000)	Jetton Park Picnic Shelters (\$1,000,000)
Little Sugar Creek Greenway (\$1,900,000)	Linda Lake Neighborhood Park (\$600,000)
Robert C. Bradford Regional Park (\$2,950,000)	Progress Park –Shelter (\$200,000)
Thomas McAllister Winget Park (\$2,716,000)	Four Mile Creek GWY (\$175,000)
McDowell Creek GWY (\$2,500,000)	

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$26,041,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$3,726,454
2016-2017 fiscal year	8,237,450
2017-2018 fiscal year	10,445,096
2018-2019 fiscal year	1,932,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Approve FY16 Authorization Park and Recreation Facilities Approved November 4, 2008 Referendum Capital Project Ordinance; and

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 SECOND WARD GYM RENOVATION
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

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Section I. That for the purpose of providing funds, together with any other available funds for the following project:
Second Ward Gym Renovation \$2,500,000

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$2,500,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$2,500,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 PARK AND RECREATION – DEFERRED MAINTENANCE PROJECTS
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing additional funds, together with any other available funds for the following projects:

Freedom Park	\$ 932,000
Latta Plantation	1,780,500
Ramsey Creek Park	310,000
Hornets Nest Park	990,000
Sugaw Creek Park	276,000

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$4,288,500 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$4,288,500

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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 PARK AND RECREATION –PROJECT BUDGET ADJUSTMENT
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing additional funds and reallocating funds in conjunction with the Project List attached as Exhibit A, together with any other available funds for authorized Park and Recreation capital projects including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$4,466,665 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$4,466,665

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 PARK AND RECREATION – QUEENS TENNIS COMPLEX
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing funds, together with any other available funds for the following project:
Queens Tennis Complex \$5,150,000

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$5,150,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	\$3,800,000
Donation – Queens University	<u>1,350,000</u>
Total	\$5,150,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

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**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 SCHOOL ACADEMY FACILITIES
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 7th DAY OF July 2015:

Section I. That for the purpose of providing funds, together with any other available funds, for the following project:

Project LIFT - Wilson	\$2,480,000
Career Technical Education Academies	1,520,000

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, \$4,000,000 is hereby appropriated.

Section II. That it is estimated that the revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:	
2015-2016 fiscal year	\$4,000,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged at which time repayment, if required, will be made: and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Also,

Authorize the County Manager to negotiate and execute an agreement with the Town of Huntersville for the renovation of the Huntersville Family Fitness and Aquatics Facility.

Ordinances recorded in full in Minute/Ordinance Book _____ Documents # _____, _____, _____, _____, _____, _____, _____, _____, _____, _____, and _____.

(15-2714) CONFEDERATE VETERANS REUNION MONUMENT

The Board received information concerning a confederate monument located on County Property, the Confederate Veterans Reunion Monument.

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County Manager Diorio said the media brought this matter to the County's attention and asked about the County's intention with respect to the monument.

Note: The inquiry was made in light of the State of South Carolina's pending decision regarding the removal of the confederate flag from the grounds of the Capital Building in Columbia, S. C., which was sparked by the tragic loss of nine individuals in Charleston, S. C. on June 17, 2015 at the Emanuel African Methodist Episcopal Church as a result of a hate crime.

The Confederate Veterans Reunion Monument is adjacent to the American Legion Memorial Stadium. It was erected to commemorate the 39th Annual Reunion of the United Confederate Veterans which took place in Charlotte on June 4-7, 1929. The property and monument have historic designation and would require a Certificate of Appropriateness from the Historic Landmarks Commission for any changes to the site.

Dr. Dan Morrill, Consulting Director, Historic Landmarks Commission gave the history of the monument, as well as, information regarding other confederate monuments and markers within Mecklenburg County.

Dr. Morrill also addressed the powers of the Historic Landmarks Commission.

Comments

Commissioner Clarke asked was it correct the date on the monument located on Charlotte City Hall property said erected by the Confederate Memorial Association of Charlotte, May 10, 1977. *Dr. Morrill said yes.*

Commissioner Clarke asked did the placement of the monument on Charlotte City Hall property require the approval of Charlotte City Council. *Dr. Morrill said he believed it would have.*

Chairman Fuller asked was the Confederate Veterans Reunion Monument in its original location. *The response was yes.*

Chairman Fuller asked did the Confederate Veterans Reunion Monument mark a grave. *The response was no.*

Commissioner Puckett asked if artifacts were placed in the monument. *Dr. Morrill said according to the article for the unveiling of the monument, a time capsule, he believed, was either placed in or beneath the monument. He said he'd never seen anything else referring to it.*

The following persons appeared to speak:

Lisa Rudisill said the Confederate Veterans Reunion Monument should not be removed nor any other confederate monument, because they honor veterans. Ms. Rudisill said many who fought in the civil war had no choice, because they were drafted. Ms. Rudisill said not everyone that fought did so because of slavery. Ms. Rudisill said she wasn't familiar with the language on the Confederate Veterans Reunion Monument, but she didn't endorse any language that was defamatory to anyone.

Chris Paynter said the Confederate Veterans Reunion Monument should be removed from County property and placed elsewhere. He said it was visible and that the language on the monument was not favorable, which concerned him the most. Mr. Paynter read the following excerpt from the monument. "Accepting the arbitrament of war, they preserved the Anglo-Saxon civilization of the South and became Master Builders in a Reunited Country."

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Mr. Paynter said the statement he referenced “espoused hate and encouraged white supremacy.” Mr. Paynter said removing the monument would not be done as a “washing of history.” He said the history needed to be told some other way and not necessarily through a plaque or competing monument.

Joseph Turner asked that the Confederate Veterans Reunion Monument not be moved. Mr. Turner said per his research, there were records of the 39th Reunion located in the monument. He addressed the military service of his great great grandfather. Mr. Turner said the confederate soldier fought for his state and that he was “proud” of what they did. Mr. Turner said he was not a “white supremacist” and was not advocating any language like that. He said the confederate soldiers were veterans “like anybody else” and should be given the respect that any veteran would. Mr. Turner said if you move one monument, then there would be persons who would want other monuments moved.

Tracy Debruhl asked the Board not to remove the Confederate Veterans Reunion Monument, because it was history. He said children today needed to be shown that “we’re not going to hide from our past.” “We’re not going to rearrange it.” “We’re going to take every scar that built us and we’re going to turn around and we’re going to live it, because that’s what made us.” He said “slavery was a part of our history, a history we got rid of.”

Gary Ritter asked the Board to remove the Confederate Veterans Reunion Monument. He said it was the “right thing to do and long overdue.” He said monuments and words engraved on them on public land, “the land of the people,” should be “inclusive” of all people. He said they should not support the idea that one race was “superior to others,” as expressed in the inscription on the Confederate Veterans Reunion Monument.

William Grice asked the Board not to remove the Confederate Veterans Reunion Monument. He said “blacks owned slaves too and fought for the confederacy.” He said the confederate flag “didn’t kill those people.” He said it didn’t “make sense” to remove it. Mr. Grice commented on black on black crime.

Mo Lolibby, Esq. asked the Board to remove the Confederate Veterans Reunion Monument. Mr. Lolibby said “what you permit, you promote.” “We must never act to divide, but rather, we must seek every opportunity and capitalize on every opportunity we have to unite, or at least to not permit, thereby promote, anything that serves to divide or segregate us.”

Mr. Lolibby said “we have to learn from the dark times in history so they don’t repeat themselves.” He, too, referenced the language on the Confederate Veterans Reunion Monument.

Chairman Fuller thanked the speakers for their comments.

Commissioner Dunlap noted that it was the media that brought this issue up and not the Board. Commissioner Dunlap said the Confederate Veterans Reunion Monument was a part of history, “not a pleasant history, but it is a part of history.”

Commissioner Dunlap said if you move the Confederate Veterans Reunion Monument, someone could then come along and say they don’t like the Martin Luther King, Jr. monument in Marshall Park or some other statute or monument and ask that it be removed.

Commissioner Dunlap said people were trying to equate monuments and statutes to the issue in S.C., which he said was a flag issue.

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Commissioner Dunlap said the flag in S. C. was located in a place of prominence, flying over the State Capital, which he said was like “in your face.” He said he looked at the two matters as being totally different.

Commissioner Dunlap said had the media not brought this issue up, “none of us or most of us, would not have been aware of the fact that there were even monuments in Mecklenburg County dedicated to the confederacy.”

Commissioner Dunlap said it was in the Board’s “best interest to not choose or pick sides, or to have winners and losers in terms of whose statute ought to stand and whose statute ought to be removed.”

Commissioner Dunlap said the Confederate Veterans Reunion Monument should be viewed for what it was, “a part of history.” He said one day maybe he could take his grandchildren to the Confederate Veterans Reunion Monument and say to them what happened and why it was erected, as a part of “why we should never let it happen again. “

Commissioner Puckett said you have to “judge historic monuments and their language in their time.” Commissioner Puckett said Anglo-Saxon was not a civil war term. He addressed the origin of the term.

Commissioner Puckett made the following statement regarding the language on the Confederate Veterans Reunion Monument. “Accepting the arbitrament, the judgment, meaning the South went to war to fight for whatever it believed. It lost. Accepting the judgment of the war, meaning we lost.”

Commissioner Puckett said he wasn’t sure what they meant by “and the preserved Anglo-Saxon civilization.” He said some people would say they preserved. “What did they preserve. They didn’t preserve slavery. They didn’t preserve anything. They lost the war. They lost that preservation, if you will, but they preserved the nature and culture of Britain and America. The difference of a civilized country.”

Commissioner Puckett said the monument also reads “they became Master Builders in a Reunited Country.” Commissioner Puckett said the monument speaks to “reunited, not about the fact that it was still succeeded, not about the fact that we were still fighting the war.” “We accepted judgment of the war and the people here went about building and reuniting the country. So those that are so terribly sure about how offensive this particular monument is, I think are a bit off.”

Commissioner Puckett addressed the confederate battle flag. He said some people “see it as a symbol of heritage and some people see it as a symbol of hate and both of them are correct, because you see symbols through whatever your eyes are.”

Commissioner Puckett said “it’s difficult for us, as a third party, to start to decide what a symbol means and what should be done with it.” Commissioner Puckett said you have to look at the intent and decide what the repercussions of those symbols are.

Commissioner Puckett said when a “devout racist chooses to identify with a flag and wave that flag of the confederacy and then commits an indefensible act; we do have to pause and think about what drew him to that symbol. We can’t ignore that.”

Commissioner Puckett said for him there’s a difference between symbols and monuments. He said when you talk about a monument, that’s what it is a monument. When you talk about a flag, “it’s not that easy, because you’re not sure what that person means for that symbol to say.”

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Commissioner Puckett said when you talk about it in connection to a war, you cannot, even when it's been attached to racists and the KKK and others, you cannot ignore the fact that originally that was not the symbol for it."

Commissioner Puckett said "soldiers were sworn to obey leadership and they have to follow their leaders; and they follow that judgment on to a battlefield and defend that interests with their lives." He said memorials were placed to reassure those who were left behind that their sacrifice was not in vain. Commissioner Puckett said in America "we have always understood that service to one's country is worthy of recognition."

Commissioner Ridenhour said he agreed with Commissioner Puckett's sentiments, as well as, with Commissioner Dunlap's. Commissioner Ridenhour said recently people questioned how southerners could be proud of their history. Commissioner Ridenhour said as a southerner he was "proud" of his southern heritage.

Commissioner Ridenhour said there were a lot of things that had happened in our nation's history and southern history that "absolutely we shouldn't be proud of this day and age." He said the language on the Confederate Veterans Reunion Monument was language from a "by gone era" reflecting sentiments that were no longer what we feel today.

Commissioner Ridenhour said he didn't think the Confederate Veterans Reunion Monument needed to be removed from where it was.

Commissioner Ridenhour said there was a lot of tension around this subject. He said it was "saddening" because he felt there was so much that was being missed regarding our history.

Commissioner Ridenhour said "if a monument isn't safe to reflect a period of time, then what's the monument really for." Commissioner Ridenhour said a monument was a "snapshot in time."

Commissioner Ridenhour said "we shouldn't try to hide from our scars or try to apply some sort of concealer to it in an effort to not offend other people." He said we needed to confront those things that we find uncomfortable and offensive in life, not with just monuments but with anything. He said conversations needed to be held regarding those things and they should be used as "teachable moments." He said the Confederate Veterans Reunion Monument should be used as a "teachable moment."

Commissioner Ridenhour said it was his understanding that Dr. Martin Luther King, Jr. spoke at the Park Center in 1960 and that there was probably records of that event, including Dr. King's remarks. In light of that, Commissioner Ridenhour offered the following suggestion, that instead of removing the Confederate Veterans Reunion Monument that a monument be added to the Grady Cole Center in honor of Dr. King in commemoration of his speaking at the Park Center, which was now the Grady Cole Center. He said that could show how far "we've come as Americans, as a City, a state, and a nation, to show this was a monument from 1929 honoring confederate veterans and here's a monument that shows, just a couple of decades later that Martin Luther King, Jr. came here and spoke." He said it could be inscribed with whatever words deemed appropriate.

Commissioner Ridenhour said something like that would be a "teachable moment" for kids. He it would show the evolution of race relations in Charlotte-Mecklenburg.

Commissioner Ridenhour said it would also address the existing monument and honor our community and how far it had come.

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Commissioner Leake said one of the issues around this matter that persons didn't want to talk about was the issue of "race."

Commissioner Leake said it "grieved" her to continue to hear that "we can get over this or we must get over this," when schools were still segregated; when where we live was still determined by the economic status that we have.

Commissioner Leake said "I think about years ago when I use to see the Klu Klux Klan and the cross that they would burn in front of your homes because you were black and the flag that they would raise." Commissioner Leake said "no the flag didn't say anything, but the symbol of the flag represented a degree of hate for you because of the color of your skin."

Commissioner Leake said she hoped persons knew what the history was and "partially still was as we move to the future."

Commissioner Leake referenced the movie Glory and noted that black soldiers did not serve with white soldiers in that conflict, thus you can't say "we were together. "

Commissioner Leake said the history was what needed to be known and how we need to get beyond this.

Commissioner Leake said if you forget the history, "it would repeat itself."

Commissioner Leake said the confederate battle flag was a "symbol of divisiveness and played a major role of superiority for those who carried it and hid their faces, so they were cowards."

Commissioner Leake said "where we are today, is where we were in the early 60's and we have yet to move beyond that point."

Commissioner Scarborough quoted the Serenity Prayer. "God grant me the serenity to accept the things that I cannot change, the courage to change the things that I can, and the wisdom to know the difference." Commissioner Scarborough said the Board's discussion was the "wisdom to know the difference" portion of that prayer.

Commissioner Scarborough said at this time there was no issue in Mecklenburg County and therefore she felt the discussion should "cease."

Commissioner Scarborough said it was "very unfortunate" what happened in reference to the flag a long time ago, but that today it was not Mecklenburg County's "problem."

Commissioner James said he agreed with all of the Commissioners that had spoken. Commissioner James noted that his great great great grandfather was murdered by a confederate soldier in 1864 after he had actually left the military. Commissioner James said his point for mentioning that was that he was not going to sit around and hold someone else responsible for that or blame anybody and everybody for that. Commissioner James said everybody had "grips." He said there was no one in the world that didn't have a grievance about somebody or something or some issue.

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Commissioner James said he felt the Confederate Veterans Reunion Monument was an issue that the County should just leave alone. He said the monument was erected by the City of Charlotte because at that time the property belonged to the City of Charlotte. He said the event was a City function.

Commissioner James said the Confederate Veterans Reunion Monument was in an obscure location. He said the County didn't need to do anything with respect to this.

Commissioner Clarke said he felt the language on the Confederate Veterans Reunion Monument was "offensive." He said it was "an ugly thing to see and read."

He said he didn't think this was so much of a "snapshot in time." Commissioner Clarke said his concern was sort of republishing this on a daily basis on County property.

Commissioner Clarke said after hearing everyone speak, he felt the monument today was more of a monument to "propaganda the white supremacy movement." Commissioner Clarke said the language inscribed on the monument that reads preserved the Anglo-Saxon civilization was really just a code to preserve the "white privileged."

Commissioner Clarke said it was an "interesting" monument whose meaning has changed over the years.

Commissioner Clarke said he thought the Board should just leave the Confederate Veterans Reunion Monument where it was, but he didn't want to celebrate it, because he felt it was "ugly."

Commissioner Cotham said the words on the Confederate Veterans Reunion Monument were "terribly offensive and a scar in our history."

Commissioner Cotham said we have to remember the "bad things" in our history. She said "we learn from that history and were better today, although there's still a lot of work to do." She said we were "not where we should be, but we're better than 1929."

Commissioner Cotham said the Confederate Veterans Reunion Monument was hard to find and not in a prominent location.

Chairman Fuller said he appreciated everyone's comments. He said the purpose of the discussion had to do with the fact that the Confederate Veterans Reunion Monument was on government property, property that was owned by everyone in the community.

Chairman Fuller said the question before the Board was whether or not on government property to "endorse, allow or permit hateful messages, historical or not," to be given on government property and endorsed by government.

Chairman Fuller said there had been a lot of talk about history. He said history was important, but "only important if we learn something from it."

Chairman Fuller said what he feared was occurring was that we were "romanticizing" history; that in the name of history, suggesting that we leave the Confederate Veterans Reunion Monument simply because it's a part of history, was an "effort itself to whitewash history."

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Chairman Fuller said “there can be no mistake about the shameful history of the use of the confederate battle flag.” “There can be no dispute that it was used as a symbol and has always been used as a symbol to promote white supremacy.” Chairman Fuller said “if we’re honest about our history, we have to admit that.” Chairman Fuller said he didn’t mean to erase it but that you have to acknowledge what it is.

Chairman Fuller said the confederate battle flag was used both at the time of the civil war and more importantly during the time of “Jim Crow.” He said it was used as a symbol to “denigrate, to deny, the very existence of African Americans in this country.”

Chairman Fuller said the “notion that we would not learn from that history and simply wipe it away as a moment in history means that we are destined to repeat it, and we are seeing the evidence of it even now.”

Chairman Fuller said it was “being seen now with the resegregation of schools, with the passage of laws that have no other intent but to disenfranchise African Americans, i.e. voting rights, voting ID laws.” He said these were the things occurring when the confederate battle flag was being used as a symbol to “venerate” those things.

Chairman Fuller said on County property there was a monument, a “glorification of a message of hate and we say it’s unimportant because it’s historical.”

Chairman Fuller said he worried about the “false equivalency” of suggesting that if “we take this down, then we’ve got to take a Martin Luther King, Jr. statue down.” Chairman Fuller said there was no “moral equivalency there.”

Chairman Fuller said if it were a situation where there were several monuments on County property, “okay maybe a different story,” but there was only one.

Chairman Fuller said this should be used as a “teachable moment and that the reason this was being talked about was because nine people were murdered using the very symbol that has been used over a century to kill, dismember, disenfranchise, African Americans.”

Chairman Fuller said he didn’t know if the discussion had given the County Manager any guidance, but that he was glad the discussion was held.

Commissioner Ridenhour said he felt the citizens of Mecklenburg County were expecting the Board to take some type of action.

Commissioner Ridenhour said the flag was a S. C. issue, but that in Mecklenburg County, the issue had to do with the Confederate Veterans Reunion Monument on County property.

He again suggested placing a statue or monument honoring Dr. Martin Luther King, Jr. on the property as well.

Chairman Fuller said he felt everyone that spoke was very clear about where they were coming from with respect to this issue. He said he was not sure, however, if the discussion had formulated itself into any kind of action plan. He said the idea of the discussion was to see where people were on the issue and then have the County Manager synthesize that and determine if it was significant enough to bring it back or not.

No action was taken.

Note: The above is not inclusive of every comment on this topic but is a summary.

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DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2702) FEATURE DEPARTMENT PRESENTATION: PARK & RECREATION -- SERVING ACTIVE OLDER ADULTS

The Board received as information a report from Mecklenburg County's Park & Recreation Department regarding serving active older adults. Information was also shared regarding the Senior Center merger. Jim Garges, Park & Recreation Director gave the report.

A copy of the report is on file with the Clerk to the Board.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2708) SELECTION OF NCACC 108TH ANNUAL CONFERENCE VOTING DELEGATE (CHAIRMAN FULLER)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Chairman Fuller as the Board's voting delegate for the 2015 Annual North Carolina Association of County Commissioners (NCACC) Conference to be held August 20-23, 2015 in Pitt County, N.C.

Note: In order to participate in the annual election of officers and policy adoption decisions, the Board must officially select someone to serve as the County's voting delegate during the annual business session, which will be held on Saturday, August 22.

(15-2709) BOCC TERM DISCUSSION

Commissioner Dunlap addressed the adoption of a resolution to place on the November 2015 ballot, the question of changing the term length of the County Commission from two years to four years.

It was noted that Mecklenburg County was the only county in the State of N.C. that did not have a four year term.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-2 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes and Commissioners Cotham and Ridenhour voting no, to adopt a resolution to place a referendum on the November 2015 ballot to change the term length of the County Commission from two years to four years, Mecklenburg County Resolution Of The Board Of County Commissioners Calling A Special Referendum On A Proposed Alteration In The Structure Of The Board.

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**MECKLENBURG COUNTY
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
CALLING A SPECIAL REFERENDUM ON A PROPOSED ALTERATION
IN THE STRUCTURE OF THE BOARD**

WHEREAS, the Mecklenburg County Board of Commissioners, after due deliberation and study, has, pursuant to authority contained in Part 4 of Article 4 of Chapter 153A of the North Carolina General Statutes, agreed to propose to the voters that there be an alteration in the structure of the Board as hereafter set forth; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners as follows:

SECTION 1: PROPOSED ALTERATION

To change from two-year terms of office to four-year terms of office.

After the alteration the Board will consist of nine (9) members, with three (3) members all nominated and elected by the qualified voters of the entire county, and six (6) members residing in districts and each nominated and elected by the qualified voters of the respective districts, with all nine (9) members serving four-year terms. This proposal alteration will not change the number of districts or the district boundaries.

**SECTION II: MANNER OF TRANSITION FROM EXISTING STRUCTURE
TO ALTERED STRUCTURE**

At the first general election following approval of the alteration, all nine (9) members of the Board shall be elected for four-year terms.

SECTION III: DATE OF REFERENDUM

A referendum shall be held and conducted by the County Board of Elections on November 3, 2015, on the alteration proposed in SECTION I above.

SECTION IV: PROPOSITION TO VOTERS – FORM OF BALLOT

The proposition to approve the alteration set forth in SECTION I above shall be printed on the ballot in substantially the following form:

“Shall the structure of the Board of Commissioners be
altered to change from two-year terms of office to
four-year terms of office?”

_____ YES

_____ NO

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If a majority of the votes cast on the proposition are in the affirmative, the structure stated in the proposition shall be put into effect as provided in SECTION II and SECTION V of this Resolution. If the majority of the votes cast are in the negative, this Resolution and the structure proposed herein shall be void.

SECTION V: EFFECTIVE DATE OF THE ALTERATION

The alteration stated in SECTION I, if approved by the voters, shall be the basis for nominating and electing the members of the Board of Commissioners at the 2016 Primary and General Elections for County offices; the alteration shall take effect on December 5, 2016, the first Monday in December following the 2016 General Election.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Puckett left the dais and was away until noted in the minutes.

(15-2706) CLOSED SESSION – PERSONNEL MATTER

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to approve a 4.5% merit based increase of \$10,722 to the County Manager's base salary; approve a market adjustment of 15.5% equaling \$37,018, to bring the County Manager's base compensation to \$286,000 effective July 1, 2015; approve a 20% increase to the County Manager's Deferred Compensation allotment in the amount of \$3,141, per the employment agreement; and to approve the match for the deferred compensation, which would be \$3,141.

Chairman Fuller, on behalf of the Board, congratulated County Manager Diorio for a job well-done.

(15-2706) CLOSED SESSION – LAND ACQUISITION – HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to approve the Historic Landmarks Commission purchase of the building and land parcels 227-023-13 and 227-023-19 located at 430 Jefferson Street, Matthews, NC for \$270,000, and recognize and appropriate up to a total of \$50,000 for closing cost, repair and stabilization of the structures located on the aforementioned parcels.

Note: The Charlotte-Mecklenburg Historic Landmarks Commission (HLC) administers a Revolving Fund which contains mostly unrecognized funds which are exclusively proceeds from previous sales of historic landmarks. To use these funds for HLC projects, the funds must be recognized and appropriated by the Board of County Commissioners. The preservation of the R. F. Outen Pottery and its use as a pottery production and education center could potentially have a dramatic impact on the cultural and economic life of Matthews.

(15-2706) CLOSED SESSION – LAND ACQUISITION – MCALPINE GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a portion of

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tax parcel 213-091-25 ($\pm 11,965$ square feet) for \$27,500 from Robert J. and Joy L. Stonebraker for extension of McAlpine Creek Greenway.

(15-2706) CLOSED SESSION – LAND ACQUISITION – EAGLES LANDING NEIGHBORHOOD

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel 057-172-57 (± 0.22 acres) from Klutts Family, LLC in west Charlotte for a purchase price of \$6,000.

Note: Park and Recreation would like to purchase Tax Parcel 057-172-57 (± 0.22 acres) for the future construction of Eagles Landing Neighborhood Park.

Commissioner Puckett returned to the dais.

(15-2670) GRANT APPLICATION -- BODY-WORN CAMERA PARTNERSHIP PROGRAM (SHERIFF'S OFFICE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an application submitted for the U.S. Department of Justice Body-Worn Camera Partnership Program Grant by the Mecklenburg County Sheriff's Office (MCSO); and if awarded, recognize and appropriate grant and required matching funds for the grant period.

Note: This grant would allow MCSO to purchase body-worn cameras as a tool to improve law enforcement interactions with the public.

(15-2677) GOVERNMENT DISTRICT PARKING DECK -- RETAIL TENANT LEASE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled, "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to Our Health, LLC".

Note: Our Health, LLC has submitted a proposal to lease two of the four retail spaces attached to the Government District Parking Deck at 4th & McDowell Streets to operate a medical clinic facility providing full service health care services. Our Health proposes to provide employer-base primary care (preventative visits and acute care) and wellness services (health coaching and employer-based incentive management).

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

(15-2681) LAND CONVEYANCE TO THE CITY OF CHARLOTTE – WINGATE NEIGHBORHOOD PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with

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Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to convey a +/- 0.296 acre portion of Wingate Neighborhood Park (Tax Parcel 115-015-11), including all improvements located thereon, to the City of Charlotte.

(15-2682) DONATION FOR CAPITAL REPAIR AND IMPROVEMENTS -- CHARLOTTE-MECKLENBURG SENIOR CENTER (TYVOLA ROAD)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to accept and appropriate a donation from Charlotte-Mecklenburg Senior Centers, Inc. in the total amount of \$101,954.87 to the Capital Reserve Fund for repairs and renovations to the Charlotte-Mecklenburg Senior Center - Tyvola Road.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following items:

(15-2687) LIGHTING AGREEMENT -- FRIENDSHIP PARK

Authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$59,781.60 for all entrance road, parking lot and sidewalk lights and poles at the new Friendship Park on Cindy Lane.

(15-2688) LIGHTING AGREEMENT -- SOUTHWEST PARK

Authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$75,246.00 for all entrance road and parking lot lights and poles at the new Southwest Park at 1720 Vilma Street.

(15-2690) LIGHTING AGREEMENT -- WEST CHARLOTTE PARK AND RECREATION CENTER

Authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$38,572.80 for replacement of all parking lot and park lights and poles at West Charlotte Recreation Center and Park, 2401 Kendall Drive.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:22 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, August 4, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2719, 15-2725, 15-2731, 15-2739, 15-2752, and 15-2768 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

**CLOSED SESSION: 15-2724 CONSULT WITH ATTORNEY; 15-2748 BUSINESS
LOCATION AND EXPANSION; 15-2766 PERSONNEL MATTER**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Business Location and Expansion, and Personnel Matter.

The Board went into Closed Session at 5:14 p.m. and came back into Open Session at 6:17 p.m.

Commissioners Dunlap, Puckett, and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Scarborough, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

**15-2640 NORTH CAROLINA DEPARTMENT OF LABOR -- CAROLINA PUBLIC
SECTOR STAR AWARD RE-CERTIFICATION (PARK AND RECREATION)**

The Board recognized North Carolina Commissioner of Labor, Cherie K. Berry, who presented Mecklenburg County Park and Recreation with the Carolina Public Sector Star Re-Certification Award.

Note: Park and Recreation was awarded the “Carolina Public Sector Star” in May 2008 and was recertified in 2011. The Department has again achieved re-certification as a Public Sector Star site recognizing the Department for its leadership in operating an effective safety and health management program and providing a safe and healthy work environment.

15-2722 PUBLIC APPEARANCE

Cathy Wester, Regional Vice President of The Rink Wester 726 Foundation, “a non-profit organization that invests in companies and start-ups led by disenfranchised asylums seekers and refugees that have launched innovative companies here in America” addressed “eTree.”

Ms. Wester said “eTree” was invented to provide sustainable carbon negative solar powered wifi and clean carbon negative energy for all residential, commercial and park uses.

Ms. Wester said she would appreciate the opportunity to discuss “eTree” in more depth with Board members and would reach out to them to do so.

A copy of a handout from Ms. Wester is on file with the Clerk to the Board.

Reverend Willie B. Simpson thanked the Board for the placement of a water fountain in Progressive Park. Reverend Simpson said there was still a need for miniature basketball goals.

Reverend Simpson also spoke in opposition to same sex marriage.

APPOINTMENTS

15-2718 APPOINTMENT -- PLANNING COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Deborah Ryan to the Charlotte-Mecklenburg Planning Commission to complete her term expiring June 30, 2018.

Note: Ms. Ryan was removed from the Charlotte-Mecklenburg Planning Commission for missing three consecutive meetings and was automatically removed. The removal was in keeping with the Attendance Policy for the City of Charlotte, which is applicable for persons serving on the

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Planning Commission. The meetings were missed due to Ms. Ryan fracturing her kneecap. Ms. Ryan is now able to get around and would like to continue serving.

15-2762 NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Lauren Billheimer, Gordon Miller, and DeAndrea Newman-Salvador (General Public representatives) to the Air Quality Commission for three-year terms, expiring August 31, 2018, effective September 1, 2015.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Michael Stephenson to the Building Development Commission as the Charlotte Apartment Association representative for a three-year term expiring July 31, 2018.

Note: He replaced Bernice Cutler who was no longer eligible to serve having served two full consecutive terms.

COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Scott Bishop and Valarie Reed to the Charlotte Mecklenburg Community Relations Committee for three-year terms expiring August 31, 2018, effective September 1, 2015.

Motion was made by Commissioner James, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Christina Newcomb to the Charlotte Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2017.

Note: She replaced Stephanie Cook who failed to meet the attendance requirement.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Mark Miller to the Historic Landmarks Commission for a three-year term, expiring July 31, 2018.

The following persons were nominated for appointment consideration to the Historic Landmarks Commission: Laura Hoover and Lynn Weis.

Note: An appointment will occur on September 1, 2015.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Catherine Keown to the Human Resources Advisory Committee to fill an unexpired term expiring June 30, 2017.

Note: She replaced Nikki Trotter who resigned.

PARK & RECREATION COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint John Leonard to the Park and Recreation Commission as a South Region 3 representative, to fill an unexpired term expiring June 30, 2017.

Note: He replaced Robert Brisley who resigned.

The following persons were nominated by Commissioner Clarke for appointment consideration to the Park and Recreation Commission for the Central Region 3 slot: Andrew Bowen and Abram "Abe" Early.

Note: An appointment will occur on September 1, 2015.

The following persons were nominated for appointment consideration to the Park and Recreation Commission for At-Large slots: Andrew Bowen (nominated by Commissioner Leake), Brian Cox (nominated by Commissioner Clarke), Abram "Abe" Early (nominated by Commissioner Leake), John Hanline (nominated by Commissioner Puckett), and Heidi Pruess (nominated by Commissioner Clarke).

Note: Appointments will occur on September 1, 2015.

15-2763 APPOINTMENT -- CORNELIUS PLANNING BOARD ETJ

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the reappointment of Hardison McConnell to the Town of Cornelius Planning Board as an Extraterritorial Jurisdiction representative for a three-year term effective July 1, 2015 through July 1, 2018.

PUBLIC HEARINGS

**15-2717 PUBLIC HEARING -- AMENDMENTS TO THE MECKLENBURG
COUNTY FLOODPLAIN REGULATIONS**

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open a public hearing to receive comments on the proposed revisions to the Mecklenburg County Floodplain Regulations.

No one appeared to speak.

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the proposed revisions to the Mecklenburg County Floodplain Regulations and adopt the amended and restated Mecklenburg County Floodplain Regulations that contain the proposed revisions.

Regulations recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2733

CHARLOTTE COUNTRY DAY SCHOOL TEFRA HEARING

Motion was made by Commissioner Bill James, seconded by Commissioner Vilma Leake and unanimously carried, with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes to open the public hearing.

WHEREAS, at 7:04 P.M., the Chairman announced that the Board of Commissioners (the “Board”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the “Authority”), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$29,000,000 of its Educational Facilities Revenue Refunding Bond (Charlotte Country Day School) Series 2015A and its Educational Facilities Revenue Bond (Charlotte Country Day School) Series 2015B (collectively, the “Bonds”);

WHEREAS, the Authority will loan the proceeds of the Bonds to Charlotte Country Day School, a North Carolina nonprofit corporation (the “Borrower”) and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code (the “Code”), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority to (1) finance the costs of constructing, improving and renovating school and other facilities, including a math and science building, library facilities, dining facilities, and a science center, all located on the Corporation’s campus at 1440 Carmel Road, Charlotte, North Carolina, for use by the Corporation as educational facilities (collectively, the “2015 Project”), (2) refinance the 2000 Project and the 2008 Project (each as described below) by refunding the Prior Bonds (as described below), and (3) pay certain expenses incurred in connection with the issuance of the Bonds by the Authority;

WHEREAS, the North Carolina Educational Facilities Agency, succeeded by the North Carolina Capital Facilities Finance Agency (the “North Carolina Agency”) previously issued its Variable Rate Educational Facilities Revenue Bonds (Charlotte Country Day School Project), Series 2000 (the “2000 Bonds”) and the Corporation used the proceeds thereof to, among other things, acquire, construct and equip (1) a lower school classroom building, (2) an athletic facility, (3) a student activity center, (4) various renovations to the plant operations facility, the fine arts theater, the classroom building known as the Bray Building, the classroom building known as the Belk Building, and the classroom building known as the Barnhardt Building, and (5) other renovations, improvements and additions to the campus related to the School’s mission, all located on the Corporation’s campus at 1440 Carmel Road, Charlotte, North Carolina (collectively, the “2000 Project”);

WHEREAS, the North Carolina Agency previously issued its Variable Rate Educational Facilities Revenue Bonds (Charlotte Country Day School), Series 2008 (the “2008 Bonds” and together with the 2000 Bonds, the “Prior Bonds”) and the Corporation used the proceeds thereof to, among other things, (1) acquire, construct and equip a middle school science building and (2) renovate and perform site work relating to other school facilities, all located at 1440 Carmel Road, Charlotte, North Carolina or 5936 Green Rea Road, Charlotte, North Carolina (collectively, the “2008 Project” and together with the 2000 Project and the 2015 Project, the “Project”);

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing and refinancing of the Project, and the issuance of the Bonds in an amount not to exceed \$29,000,000 in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010, and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on July 21, 2015 a notice of public hearing was published in the *Mecklenburg Times*, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities,

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among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: [**None**]

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted unanimously.

Commissioner George Dunlap introduced the following resolution, a copy of which had been distributed to each Commissioner:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$29,000,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE REFUNDING BOND (CHARLOTTE COUNTRY DAY SCHOOL) SERIES 2015A AND EDUCATIONAL FACILITIES REVENUE BOND (CHARLOTTE COUNTRY DAY SCHOOL) SERIES 2015B TO FINANCE OR REFINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON BEHALF OF CHARLOTTE COUNTRY DAY SCHOOL

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance and refinance the Project, *provided that* in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction for the Project, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Bill James seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Resolution/Extract recorded in full in Minute Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS

15-2728 ADULT CARE HOME AND NURSING HOME ADVISORY COMMITTEES ANNUAL REPORTS

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The Board received as information annual reports from the Adult Care Home Advisory Committee and Nursing Home Advisory Committee.

Kaylor Hillary and Lindsay Tice with the Centralina Council of Governments gave the reports. They were assisted by Tom Rothrock, a member of the Adult Care Home Advisory Committee.

A copy of the report is on file with the Clerk to the Board.

Commissioner Clarke asked about the number of beds available, which was addressed.

Commissioners Scarborough and Leake addressed the importance and value of these two (2) advisory committees.

Commissioner Cotham also addressed the importance of the committees and volunteered to assist in recruiting persons to serve.

Commissioners Clarke, Dunlap, and Cotham spoke in support of the recommendation from the committees that consideration be given to providing mileage to persons serving on the Adult Care Home and Nursing Home Advisory Committees in an effort to increase citizen participation on the committees.

It was noted in the report that Cabarrus and Gaston counties currently provide mileage to its members.

Commissioner Clarke asked the County Manager to make this a topic for discussion at the Board's next budget retreat.

Commissioner Ridenhour thanked the committees for their work and asked about the upcoming Residents Rights Celebration, which was addressed. The event is October 2, 2015, 1:30 p.m. – 3:30 p.m., at Sharon Presbyterian Church on Sharon Road.

Chairman Fuller thanked the presenters for their report and acknowledged and thanked other committee members that were present.

MANAGER'S REPORT

SALARY APPROVED CEO OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

County Manager Diorio under her Manager's report asked the Board to approve the salary for the new CEO of the Alcoholic Beverage Control Board, Jason Hughes. Mr. Hughes will replace current CEO Paul Stroup, who is retiring effective September 1, 2015.

It was noted that Board approval was required, per state statute.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the salary for the new CEO of the Alcoholic Beverage Control Board, Jason Hughes, as requested, in the amount of \$160,000.

2015 NACO ANNUAL CONFERENCE

County Manager Diorio addressed the success of the 2015 National Association of County Commissioners (NACo) Conference held in Charlotte/Mecklenburg County July 10-14, 2015.

15-2721 2015 NACO ACHIEVEMENT AWARD WINNERS

The Board recognized the Mecklenburg County 2015 NACo Achievement Award winners.

Danny Diehl, Director of Public Information presented the winners.

Background: Begun in 1970, the National Association of Counties (NACo) annual Achievement Award Program is a non-competitive awards program that recognizes innovative county government initiatives. Awards are given in 21 different categories including children and youth, criminal justice and public safety, county administration, county resiliency, information technology, health and many more. Mecklenburg County was among the 2015 NACo winners.

The winning Mecklenburg County departments and programs were as follows:

Health Department	Development of a Program to Improve Compression Depth and Time to Defibrillation in Out-of-Hospital Cardiac Arrest
Human Services	Care Transitions-A-Community Based Partnership MeckFUSE Program
Information Technology	MecklenburgCountyNC.gov: A Better User Experience
Libraries	Library Card Drive for Charlotte-Mecklenburg Schools students in Pre-K through Third Grade
Parks and Recreation	Adaptive Lacrosse Clinic Paralympic Gateway to Gold Parks and Recreation Flora Website Young Adults on the Go!
Planning	Mecklenburg Livable Communities Plan

15-2760 DOMESTIC PARTNER BENEFITS POLICY

Joel Riddle, Human Resources Director addressed proposed revisions to the Domestic Partner Benefits Policy.

Note: On December 15, 2009, the Board of County Commissioners directed the County Manager to begin the process to offer County employees same-sex Domestic Partner benefits. At that time, the State of North Carolina prohibited marriage between same-sex couples. The Board’s policy went into effect on January 1, 2011, which reads: A domestic partnership, for the purposes of this policy, is defined as two individuals of the same sex who have reached the age of majority and live together in a long term relationship of indefinite duration, with an exclusive mutual commitment in which the partners share the necessities of life and are financially interdependent. Also, domestic partners are not married to anyone else, do not have another domestic partner, are legally prohibited from marrying each other in the state of N.C., and are not related by blood more closely than would bar their marriage in this state.

As noted above, existing Board policy states that couples seeking Domestic Partner benefits must be “legally prohibited from marrying each other in the state of N.C.” In light of the recent United States Supreme Court decision in Obergefell v. Hodges, relating to the state recognition of same-sex marriages under the Equal Protection Clause of the United States Constitution, staff recommends eliminating the policy offering coverage for same-sex

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domestic partners at the expiration of the current benefit plan year (December 31, 2015) and offering benefit coverage to legal spouses of all qualifying County employees effective at the beginning of the next plan year (January 1, 2016). With the recent ruling, same-sex couples now have the option of legally recognized marriage. Therefore, this change will treat both same-sex couples and opposite-sex couples the same. As of July 1, 2015, seven employees and non-Medicare eligible retirees have selected medical coverage under this extension, eight have selected dental, and five have selected vision.

If approved, during the next month, HR staff will contact all affected employees to explain the change and provide options for continued coverage. With an effective date of January 1, 2016, this recommendation will permit same sex domestic partner benefits to remain available both to existing and newly qualified employees through the remainder of the benefit plan year. It also provides adequate time for dependents to obtain coverage through other means such as the Health Insurance Marketplace or their own employer. If approved, all references to Domestic partners will be removed throughout the current policy.

Comments

Commissioner Cotham asked would any children be impacted by this action. *The response was no.*

Commissioner Scarborough asked would this result in a savings for the County. *The response was yes, if the persons currently receiving this benefit do not marry and no, if they do marry.*

Chairman Fuller asked about actions taken by the private sector with respect to this matter, which was addressed.

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to revise the Domestic Partner Benefits Policy to eliminate the Benefit for Unmarried Couples effective 1/1/2016.

Policy recorded in full in Minute Book _____, Document # _____.

15-2767 COUNTY MANAGER'S FY16 WORK PLAN

County Manager Diorio reviewed her FY16 Work Plan.

Note: Annually, the County Manager prepares and presents to the Board for approval, the Manager's work plan for the ensuing year. The County Manager's work plan outlines the Manager's Strategic Agenda Goals for the year, including the rationale, timeline, updates/project milestones and outcome/measures for those goals. The work plan also addresses the County Manager's Individual Development Plan and Leadership Competencies.

A copy of the County Manager's FY16 Work Plan is on file with the Clerk to the Board.

Comments

Commissioner Leake referenced Item 11 of the County Manager's Work Plan – Health Department Implement Clinical Operations & Revenue Improvements and asked about the status of service sites out in the community.

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County Manager Diorio said the Consolidated Human Services Delivery Model was still being developed and once completed, community resource center locations would be determined.

Commissioner Scarborough commented on the diversity of the County Manager's staff.

Commissioner Scarborough said currently, she did not "see much diversity" and that she hoped the County Manager would take that "under consideration."

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the County Manager's FY16 Work Plan.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

15-2727 FEATURE DEPARTMENT PRESENTATION: CHILD SUPPORT ENFORCEMENT

The Board received a report regarding Mecklenburg County Child Support Enforcement (CSE).

Joan Kennedy, Director of Child Support Enforcement gave the report, which was in the form of a video.

The report acknowledged the accomplishments of CSE for FY15.

Board members expressed accolades to Director Kennedy and her staff for the work that they do.

A copy of the written report is on file in the Office of the Clerk to the Board.

STAFF REPORTS & REQUESTS

15-2732 POLICY ADOPTION -- HAZARD MITIGATION PROGRAM, NEW RETROFIT PROGRAM POLICY

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes and Commissioners James and Puckett voting no, to adopt the RetroFIT Program Policy Document.

Tim Trautman with LUESA - Storm Water Services presented this matter.

Note: For FY16 staff is proposing to add a missing element to the flood mitigation options available to citizens. The RetroFIT (Floodproofing • Improvements • Together) program would aid floodplain property owners in making their dwellings more resilient to flood damage. Some floodprone properties are not cost-effective to acquire or are not eligible for FEMA grants. Thus, they continue to suffer short- and long-term flood damage when local creeks rise. The purpose of SWS's RetroFIT program is to fill this gap in services by providing financial and technical assistance to floodplain owners that do not qualify for FEMA mitigation grants or buy-outs.

Prior to the above vote, the following questions were asked:

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Chairman Fuller commented on the 50% reduction for low income and disabled veterans homestead exclusions. He asked if there was also a reduction for seniors, persons 65 years of age and older. *Mr. Trautman said the low income program was the senior citizens program used by the tax office for seniors on fixed incomes below a certain threshold.*

Commissioner James asked about home value before and after the retrofit. Commissioner James said it was important to make sure the County was not “throwing good money after bad.”

Commissioner James said “if you advance money through a grant and six years later the property owner sells their home and is not required to repay the loan, because it’s greater than five years, that’s income for the homeowner.”

Commissioner James said he would presume that if the County was going to lend the money up front and release it after five years, the County would be obligated at the end of five years to issue some type of income tax form to that homeowner.

Commissioner James asked how staff was going to go about sending homeowners the appropriate tax form.

Commissioner James said the easier process would be to make it loan, without the five year term and when the home was paid off, the loan would get paid back.

Mr. Trautman responded to Commissioner James’ questions and addressed the Flood Risk Assessment Reduction Plan. Mr. Trautman said applications would be reviewed from a flood mitigation standpoint, as well as, from a financial standpoint.

Mr. Trautman noted that one of the “challenges” with these types of flood proofing techniques was that the retrofit didn’t necessarily add value to the home. He said the home would be safer and it might reduce the homeowners flood insurance premium, but typically, these measures don’t impact the value. Mr. Trautman said that’s why private lenders don’t invest in these types of things.

Mr. Trautman said the routines that the County had, did not take into account the before and after values, but they did take into account whether the techniques made “sense” on a property by property basis.

Mr. Trautman with respect to Commissioner James’ question regarding taxes, said staff was still in the process of developing an implementation manual. He said the Board was only being asked, at this time, to adopt a policy document. He said the implementation model would have the “fine details.” He said staff would work with the County Attorney to make sure tax issues and other issues were addressed in the manual.

Commissioner Dunlap asked would there be an increase in storm water fees as a result of the proposed program. *The response was no, not directly related to this program.*

Mr. Trautman said he could not “guarantee” that staff would not come back to the Board in the future, in the context of the overall Storm Water Program asking for a fee increase, but it would not be directly related to the creation of this program.

Commissioner Dunlap said he supported the program but was concerned that at some point, the program would lend itself to an increase in storm water fees.

Commissioner Dunlap asked was there a way by which the County could recoup money placed in the program, such that it could be used over again by other interested homeowners.

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Mr. Trautman said to do so would mean this would have to be a loan program. Mr. Trautman said it was staff's belief that in this pilot program stage, it would be better to make it a grant program. He said a loan program was much more complicated, but that was not to say, that at some point down the line, it would not become a loan program.

Commissioner Dunlap asked about the difference between the RetroFIT program and the Buy-Out program, which was addressed.

Commissioner Leake asked about the method for sharing this information with the public, particularly those that live in the flood areas of the County, which was addressed.

Commissioner Leake suggested staff conduct community meetings to inform the public.

Mr. Trautman noted that this upcoming weekend staff would be meeting with the Historic West End Neighborhood Association regarding the program. He said staff would welcome the opportunity to meet with others.

Commissioner Ridenhour questioned requiring a homeowner to repay the funds back if their home was sold in less than five years, and if the retrofit didn't add to the value of the home.

Mr. Trautman said the legislation that was passed included the five year provision. He said it specifically stated that if the home sells for more than the pre-mitigation value, within five years, the homeowner would reimburse the County up to that amount. He said the County did have the ability to set the minimum dollar threshold. He said the County could potentially set it at \$100,000 to try and get around that, however, the intent of the legislation was that if a property owner had appreciation in their home, which didn't have to necessarily be from this improvement, and at closing were walking away with funds that could have been used on the mitigation, then they should reimburse the County for those improvements, which may or may not have contributed to that increase in value.

Mr. Trautman said the amount that would be due to the County would be the difference between the pre-mitigation value and the increased value at the time of the sale. He said if the home sold for less than the pre-mitigation value, the homeowner would not owe the County any money.

Commissioner Puckett asked if the legislation prohibited loans. *The response was no.*

Mr. Trautman said the legislation allowed storm water funds to be used on enhancements and improvements to private property. He said it did not specify whether it had to be through grants or loans. He said the grant program was staff's choice.

Commissioner Puckett said he was not sure how this particular group of people would want an improvement from the County, when there may be other homes in the community that were unsafe for other reasons. Commissioner Puckett said he did not see this as being "financially solid" with respect to the repayment piece.

Commissioner Puckett said he would be interested in a loan program, whereby the homeowner would have some "skin in the game," and pay a zero or near zero interest loan over some period of time to make their home more livable.

Commissioner Puckett asked about the number of homes that qualify for the Buy-Out program. *Mr. Trautman said roughly five hundred or so, maybe up to a thousand.*

Commissioner Puckett asked was the value known for those five hundred – thousand homes. *Mr. Trautman said he did not have that information with him, but he would provide it.*

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Commissioner Puckett said his dilemma was that he felt for those in this position, but his guess was that anyone who was in an extraordinarily urgent flooding situation, the County had already purchased their home.

Mr. Trautman said the “fundamental” premise of the program was the fact that the County was a storm water utility, charged with managing the storm water system, which includes creeks. He said the storm water system was damaging homeowners’ property.

Mr. Trautman said the County was trying to figure out ways to allow the floodplains to continue to flood, so Mecklenburg County doesn’t become a community of levees and dams and structure measures that cost a “ton of money.” He said the idea was to make people safe in the floodplains and manage the storm water.

Commissioner Clarke asked was it correct that the County asked for this statutory change.

County Attorney Bethune said yes, but the statute that was adopted did not look “a whole lot” like the statute submitted by the County. He said it accomplished the same results, however, some of the things included were not in the County’s, such as the five-year repayment component.

Policy Document recorded in full in Minute Book _____, Document # _____.

Commissioner Dunlap left the dais and was away until noted in the minutes.

15-2749 BUSINESS INVESTMENT GRANT: DIMENSIONAL FUND ADVISORS

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-2 with Commissioners Clarke, Cotham, Fuller, Leake, Ridenhour and Scarborough voting yes and Commissioners James and Puckett voting no, to adopt a resolution approving a Business Investment Program grant to Dimensional Fund Advisors LP for a total estimated amount of \$4,851,131 and authorize the County Manager to negotiate and execute a contract.

Note: Dimensional Fund Advisors is a global investment management firm with 11 offices in 8 countries, 850 employees and more than \$398 billion in assets managed for clients. Dimensional Fund Advisors is seeking to establish a regional headquarters in eastern United States in order to provide enhanced service to regional customers and to improve the company's ability to recruit regional talent.

Economic Development Director Peter Zeiler presented this matter.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR DIMENSIONAL FUND ADVISORS, LP**

WHEREAS, Dimensional Fund Advisors LP will establish a new regional headquarters in Charlotte; and

WHEREAS, the company evaluated sites in South Carolina; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City and County. The Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on July 7, 2015 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic

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development grant, the company subsequently decided to locate in Charlotte. The project will include a capital investment of approximately \$98.0 million and will create 316 new jobs within five years at an average annual salary of approximately \$154,000. The Business Investment Program grant is a 90% grant over seven years, with an estimated total amount of up to \$4,851,131. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute Book _____, Document # _____.

Commissioner Dunlap returned to the meeting.

COUNTY COMMISSIONERS REPORTS & REQUESTS

15-2761 NAMING OF MECKLENBURG COUNTY PARK AND RECREATION FACILITY (COMMISSIONER LEAKE)

Commissioner Leake presented a request to name the Mecklenburg County Park and Recreation facility currently known as Clanton Pavilion located at 3132 Manchester Drive, Charlotte, NC 28217 to Dorothy Doores Waddy Pavilion.

Commissioner Leake commented on Ms. Waddy's activeness in the community. Ms. Waddy passed away earlier this year.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to 1) receive an application submitted by Commissioner Vilma D. Leake to rename the Mecklenburg County Park and Recreation facility currently known as Clanton Pavilion located at 3132 Manchester Drive, Charlotte, NC 28217 to Dorothy Doores Waddy Pavilion and 2) schedule a public hearing on September 1, 2015 at 6:30 pm to receive public comment on the proposed naming of the Mecklenburg County Park and Recreation facility.

15-2772 NEW ITEM - CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION BOCC REPRESENTATIVE/ALTERNATE PROCEDURE FOR VOTING (COMMISSIONER PUCKETT)

Commissioner Puckett proposed establishing a policy that would require the Board's representative & alternate on the Charlotte Regional Transportation Planning Organization (CRTPO) to get its voting direction from the Board when voting on CRTPO matters.

Background: Currently, there is no Board policy regarding how the County's representative and alternate to the Charlotte Regional Transportation Planning Organization (CRTPO) should vote. The County's representative and alternate are appointed annually by the Chairman of the Board of County Commissioners. The representative and alternate vote based on his/her assessment of the facts presented to the CRTPO. Occasions may arise when the representative, the majority of the Board and/or the alternate have differing perspectives and in the absence of policy, the representative and/or the alternate can vote opposite of each other's assessment and/or the assessment of the Board's majority.

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Commissioner Puckett said this seemed to lack any cohesiveness. He said establishing a formal procedure would eliminate any conflicting opinions between the Board's CRTPO representative, alternate and/or the Board.

Note: Per staff's research, Charlotte City Council does not have a formal procedure either. Council representatives on the CRTPO and the MTC (Metropolitan Transit Commission) vote as well, based on his/her assessment of the facts presented to the CRTPO or MTC. However, it is the "practice" of Council representatives serving on the CRTPO and MTC to seek the opinion and/or direction of Council, if they feel the need to do so.

Commissioner Puckett said an established procedure for voting would eliminate the need for the representative or alternate to seek the Board's opinion or directive on a "case by case" basis. It would also eliminate any potential conflicting opinions between the representative, alternate, and/or the Board, because a procedure for voting would have been already established and the vote of the representative or alternate would be based on the majority vote of the Board.

Commissioner Puckett said the CRTPO would be voting on the 2016-2025 TIP at an upcoming meeting and that he, the Board's alternate to the CRTPO, if left to vote based on his own assessment of the TIP would vote differently from the Board's CRTPO representative, Commissioner Clarke.

Commissioner Puckett said he could not vote in support of the 2016-2025 TIP because of the inclusion of the I-77 Toll Road project. Commissioner Puckett said the I-77 Toll Road project was adamantly opposed to by the residents in his district. He said Commissioner Clarke, however, was supportive of the 2016-2025 TIP.

Commissioner James questioned what legal obligation the Board's representative or alternate had to vote the way the Board directed.

Commissioner James said if he was serving on a committee and felt very strongly about a particular issue, he would vote his conscious, even if it was different from the Board's directive.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, to establish a policy that would require the Board's representative and alternate to the Charlotte Regional Transportation Planning Organization (CRTPO) to vote on matters coming before the CRTPO based on the directive of the Board.

Commissioner Dunlap spoke in opposition to the proposed motion. He said the future implications of this type of policy was that it could put the Board in a position where someone may want to "target" a specific committee to direct a particular vote.

Commissioner Dunlap said while he agreed with the notion of not supporting tolls, he could not support a motion directing a member of the Board to vote in a "particular way."

Commissioner Dunlap said the same thing could occur for members of the Board that serve on other committees as the Board's liaison.

Commissioner Dunlap said he would not accept being directed how to vote and would rather be removed from a particular committee instead.

Commissioner Dunlap said Board members appointed to various committee should and would cast their vote in the interest of Mecklenburg County, whether the Board as a whole agreed with them or not.

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Commissioner Dunlap said there would be further implications if a policy of this type was established and that to single out this particular upcoming vote was “wrong.”

Commissioner Leake said her contention was that Board members “represent the people of Mecklenburg County.” She said Board members communicate with constituents regarding their desires and get input on how they feel the Board should respond on certain issues.

Commissioner Leake said Board members serving as the Board’s representative on committees should provide reports on the happenings of that committee, share their thoughts on issues and seek Board input.

Commissioner Leake said Board members “owe it to the people of this county to vote their wishes, if we represent them.”

Chairman Fuller asked if the Board had the authority to direct a commissioner to take any act or refrain from any act.

County Attorney Bethune said he had not researched that question, but his “opinion” was that with respect to the CRTPO, which was established based on a Memorandum of Understanding between Mecklenburg County and other jurisdictions, with the County being the signatory and not the Board’s representative, that the Board did have the authority to tell the Board’s representative or the alternate’s what position to take on CRTPO matters.

County Attorney Bethune said in an instance where the representative or alternate did not comply with the Board’s directive, the only authority the Board would have, would be to “censure” that Board member.

County Attorney Bethune said the ethical thing for a Board member to do if they felt they could not take the position the Board directed them to do, would be for that Board member to inform the Board of that and ask that someone else be designated to represent the Board.

County Attorney Bethune said the Board did not have the authority to direct a Board member on how to vote on matters coming before the Board, but in instances where the Board member was representing the “County” it could.

Commissioner Cotham commented on at-large Board representation versus district representation with respect to addressing the concerns of constituents.

Commissioner Dunlap said although at-large Board members were elected by the vote of all citizens, all Board members had a “responsibility” for all of the people of Mecklenburg County.

Commissioner Dunlap said when Board members cast a vote, it did two things, made someone “happy” or someone “unhappy.” He questioned why would a vote on a particular committee “be any different.”

Commissioner Dunlap said “we vote what we believe is in the best interest of the citizens of Mecklenburg County, not individual districts or at-large members.”

Commissioner James said the Board could also send a letter expressing its opinion.

Commissioner James said he didn’t think it was necessary for Board members serving on committees to report back to the Board on every issue discussed by a committee.

Commissioner James said if it was an issue that rose to the level of this particular matter, then perhaps a report should be made to the Board.

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Commissioner James said, philosophically, he did not believe you can “tell somebody what to do.” Commissioner James said you can give advice and phrase a motion that said the Board recommends, suggests or asks that the representative vote a certain way.

Commissioner James said he didn’t feel you could “order” the representative to do it.

Commissioner Ridenhour said directing the Board’s representative on how to vote should not be viewed as “not having confidence” in that representative or as “micro-managing.”

Commissioner Ridenhour said Board representatives should be given a “fairly wide sandbox” to operate in and express the will of the Board, however, in instances where a majority of the Board had expressed its opinion on a particular issue, then the Board’s representative should express that opinion to the committee or organization they’re serving on as the Board’s representative.

Commissioner Ridenhour said the Board’s representative should in those instances, vote in the manner in which their Board voted and not opposite of the Board’s majority vote.

Commissioner Puckett said the CRTPO was different from other committees that Board members serve on, because it has a direct impact on what happens in the region.

Commissioner Puckett said in light of the impact of the decision before the CRTPO and the fact that his opinion on the TIP was different from Commissioner Clarke’s and Commissioner James’, it made sense that the County’s vote be based on the opinion of the majority of the Board.

Chairman Fuller said there were two issues before the Board, 1) should there be a policy directing the Board’s representative on the CRTPO on how to vote and 2) if so, what should that vote be.

Commissioner Clarke said as the Board’s representative, he had attended the meetings of the CRTPO and was knowledgeable of the issues with respect to the TIP. He said he’d also listened to the perspective of other members of the CRTPO.

Commissioner Clarke said when he voted on CRTPO matters, he did so not only in the best interest of the citizens of Mecklenburg County, but he also took into consideration the opinion of Town representatives when it was a matter that impacted their town.

Commissioner Clarke noted as background that the I-77 Toll Road project was included in the TIP by a vote of the Planning Organization before at least five of the current Board members were on the Board.

Commissioner Clarke said it was supported unanimously by representatives from the northern towns.

Commissioner Clarke said the former District 1 Board member never expressed any concerns to him about how he should vote with respect to that particular project.

Commissioner Clarke said he didn’t really have a “problem” with the Board having a policy directing the CRTPO representative on how to vote on matters. Commissioner Clarke said he felt, however, a policy already existed, although Commissioner Puckett referred to it as “tradition.”

Commissioner Clarke said the “tradition,” the policy, by virtue of the way things have worked, was that the Board’s representative had gone to the meetings, spent a lot of time learning

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about transportation issues, heard the evidence, listened to the elected officials in the towns in the affected areas and made their “best informed” decision without direction from the Board.

Commissioner Clarke said he had no recollection of the Board ever directing the vote of its representative.

Commissioners Clarke and James asked for clarity with respect to the motion noted below, specifically was it on all matters coming before the CRTPO or just this particular issue, 2016-2025 TIP.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, to establish a policy that would require the Board’s representative and alternate to the Charlotte Regional Transportation Planning Organization (CRTPO) to vote on matters coming before the CRTPO based on the directive of the Board.

Commissioner Clarke noted that usually, it’s not known what’s going to be on the CRTPO agenda until it’s received.

Commissioner Clarke suggested Commissioner Puckett amend his motion to say that the Board reserved the right to direct the vote of the Board’s CRTPO representative on any issue the Board chose to.

Commissioner Puckett said he believed the TIP was sort of the cumulation vote that sets the policy. Commissioner Puckett said there were certain votes, however, that the Board would not need to direct the Board’s representative on, such as, voting on the chairman of the CRTPO and things of that nature.

Commissioner Puckett said to say the Board reserves the right to direct the vote as deemed necessary was relevant, because it could mean something other than TIP if “need be.”

Commissioner Puckett said if something came to the Board and the Board collectively decided that it was something worth doing, then the Board’s representative had the ability to bring and communicate to the Board what the issues were. Commissioner Puckett said normally the Board would follow the Board’s representative’s advice, because they’ve attended the CRTPO meetings.

Commissioner Puckett said there could be extenuating circumstances, such as with this issue, where the community or a portion of the community brings concerns to the Board with respect to a particular issue.

Commissioner Puckett said he was okay with the policy stating that the Board of County Commissioners reserves the right to direct its delegate to the CRTPO to vote as directed.

Commissioner Puckett said a policy was needed in case something came up again in the future.

Commissioner Puckett said this was one of those “interesting times” when it clearly could be opposing positions on a matter.

Commissioner Puckett said this wasn’t about “this vote.” He said this vote would be the first one the Board would use the policy for, but it would be a policy that’s in place, when needed.

Commissioner Clarke noted for the record that he disagreed with Commissioner Puckett’s statement that the policy being proposed for adoption was not being done for the purpose of this specific vote, the 2016-2025 TIP. Commissioner Clarke said the facts “speak for themselves.”

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Commissioner James again questioned whether the Board's representative or alternate had to vote the directive of the Board.

Commissioner Puckett said as the Board's alternate, that he would vote based on the Board's directive even if he disagreed with the directive.

Commissioner Puckett restated his motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 7-2 with Commissioners Cotham, Clarke, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioners Dunlap and James voting no, to make it the policy of the Board that the Board reserves the right to direct the vote of its representative or alternate to the Charlotte Regional Transportation Organization (CRTPO) to vote on matters before the Charlotte Regional Transportation Organization based on the majority vote of the Board of County Commissioners on a particular matter.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, to direct the Board's representative and alternate to the Charlotte Regional Transportation Planning Organization (CRTPO) to vote "nay" on the proposed CRTPO 2016-2025 TIP.

Commissioner Dunlap asked about the significance of two votes and would the County's "nay" vote change the outcome of anything.

Chairman Fuller invited representatives from the NC Department of Transportation to come forth and address the question raised by Commissioner Dunlap with respect to the impact of the County's vote.

Commissioner Clarke recommended hearing from the NCDOT representatives and receiving the presentation they prepared, which would provide the Board with more details, in order to see the impact of the County's vote.

State Board of Transportation Chairman Ned Curran said in light of the hour, they would forego showing the presentation and instead address questions.

Mr. Curran explained that by objecting to a particular project(s) within the TIP, it really meant a vote against a "bundle" of projects, not just those you object too. He explained that the TIP was the total package. He said votes weren't taken at this point on individual projects.

He said the 2016-2025 TIP included a 100 or so projects, \$2 billion worth of projects, scattered amongst three different counties.

Mr. Curran said the Board should take seriously the votes allocated to Mecklenburg County and the consequences of that vote were the County to prevail.

Mr. Curran said the NCDOT TIP and the CRTPO TIP should be identical. He said when the plans adopted were the same, then the Federal Highway Administration moves forward as a partner on moving projects forward.

Mr. Curran said if the TIP's were not the same, then the projects do not move forward, not just the project that may have been objected to, but all projects would be impacted. He said in addition, the region would be "set back dramatically" for many months.

Mr. Curran said new air quality permits would also have to be obtained.

Mr. Curran said the TIP was a package and to pull a project out "disrupts" the package.

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Mr. Curran commented on the amount work that had taken place by the CRTPO with respect to putting the TIP together.

Mr. Curran said it was “way late in the game” at this point for the Board to say it objected this package.

Mr. Curran noted that there were a lot of other projects included in the TIP for Mecklenburg County.

Chairman Fuller asked about the scope of the projects included in the TIP for the region, which was addressed.

Chairman Fuller asked about the impact from a state-wide perspective, which was addressed.

Commissioner Clarke said a “nay” vote would not only impact highway projects, but that no federal action could be taken on any project that’s included in the TIP. He said further, that one of the most significant impacts would be on the proposed loan for the Links Blue Line Extension Project.

Commissioner Clarke said the Secretary of Transportation in Washington would not be able to finalize the request of Charlotte Area Transit System (CATS) for a loan for the Blue Line Extension Project.

Commissioner Clarke said if the TIP was not approved, a lot of work that was already underway would have to stop and a lot of people would be out of work as a result that.

Commissioner Leake asked for clarity with respect to the 50-year time period associated with the I-77 Toll Road project, which was addressed. She also expressed concern for the company that would be managing the project, Cintra.

Commissioner Puckett noted the following as to why the County should vote no.

- The “odds” of the CRTPO voting the 2016-2025 TIP down was “extranomical.”
- The City of Charlotte had 48% of the votes and as long as the City’s representative was comfortable, then by in large the vote was there for approval.
- A “no” vote from the County would not stop the TIP from going forward.

Commissioner Puckett said he had a problem with the amount of tolling that’s included in the TIP. He said two (2) no votes out of 68 votes would at least serve as a “bully pulpit” vote to say that “somebody needs to pay attention to the fact that we’re talking about redistributing sales tax out of Mecklenburg County and a lot unfunded mandates coming out of Raleigh; and now we’re saying that much of our basic infrastructure needs to be an additional tax on the people of Mecklenburg County, via tolls.”

Mr. Curran in his closing remarks said the County, because of the work of the current Board and prior Boards, was “on the national stage.”

Mr. Curran said he was present because he lived in Mecklenburg and because of his position as Chairman of the State Board of Transportation.

Mr. Curran said in the last two months, he’d had meetings with design build firms of national scope and that they were watching what’s happening here. Mr. Curran said this was not just about roads. He said the design build firms were looking for innovative techniques around

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ports, rail, ferry systems. He said they were really concerned about whether or not they should be spending their time thinking about N.C.

Mr. Curran said Mecklenburg County was a “leader” and that others watch what the County does and that it has had consequences. Mr. Curran said the County should vote as if its vote was going to carry the CRTPO.

Commissioner Dunlap noted that when this matter was initially talked about, it was out of concern for the I-77 Toll Road. Commissioner Dunlap said his concern about toll roads had not changed, however, the TIP was a “totally” different situation.

Commissioner Dunlap said the TIP talked about projects throughout Mecklenburg County.

Commissioner Dunlap said to vote against the TIP, meant voting against other projects, which made the circumstances different. Commissioner Dunlap said the TIP was about all of Mecklenburg County and not just I-77, therefore he would not support directing the Board’s representative on the CRTPO to vote “nay.”

Commissioner James said he was okay with supporting the TIP because it’s supported by the Towns in his District. Commissioner James acknowledged that there were legitimate concerns that had been expressed by residents in northern Mecklenburg County regarding the I-77 Toll Road Project, but he “parts company when someone says, in order to prove myself, I have to essentially say, I’m going to stop the projects everywhere else in order to prove a point.”

Commissioner Leake asked about the plans for West Blvd., which was addressed by Scott Cole with the DOT.

Mr. Cole commented on Cintra’s management of the project. It was noted that companies would be hired locally to work on the project.

Mr. Cole also commented on the 50-year time period that’s included in the plan with respect to I-77. Mr. Cole said the contract had a non-compete clause, which meant not that nothing could be built within that time period, but rather, if something else was built on I-77 and it impacted the revenue that Cintra would draw off of the toll lanes, and they could demonstrate that their revenue had been impacted, then the state would be required to compensate them for the difference.

Commissioner Ridenhour noted for the public that sometimes the only thing you can do is to send a message via a resolution or a vote.

Commissioner Ridenhour said he did not think the entire TIP was “bad.”

Commissioner Ridenhour said it was important for residents to know that the County’s two (2) votes would not change anything. He said residents needed to go back a couple of years to see who was serving on the Planning Organization at that time, and who was serving in elected office in Raleigh at that time, and to look at all the people who could have stopped this but kept “pushing it along.” Commissioner Ridenhour said those were the people that could have stopped this, but “choose not to.”

Commissioner Cotham said the Board’s vote would send a message, which would be “enough of this, putting the good with the bad.” Commissioner Cotham noted several actions by legislators in Raleigh that put the “good with the bad.”

Commissioner Cotham said there was some “good” in the TIP, but there was also some “bad.”

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Commissioner Puckett said he would encourage the Board's representative to also say that it was a vote of "frustration" for process and if it were to go forward, recognizes all of the great things that are there, but does speak to the problem of "good and bad" and all the things that had been said.

Chairman Fuller said he felt the Board had already sent the message that it did not agree with the I-77 Toll Road project and had done so "loud and clear. "

Chairman Fuller said when the Board takes action to "destroy" an entire plan for the entire region, merely to make a statement was "irresponsible."

This concluded the discussion. The above is not inclusive of every comment but is a summary.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough, and carried 5-4 with Commissioners Cotham, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioners Clarke, Dunlap, Fuller, and James voting no, to direct the Board's representative and/or alternate to the Charlotte Regional Transportation Planning Organization (CRTPO) to vote "nay" on the proposed CRTPO 2016-2025 Transportation Improvement Plan (TIP).

Commissioners Clarke and Dunlap left the dais and were away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2716 DONATION -- MCCOLL CENTER DONATION FOR ANITA STROUD PARK

Accept and appropriate a donation of \$2,810 from the McColl Center for Art and Innovation for improvements at Anita Stroud Park.

15-2720 GRANT APPLICATION -- PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH AND YOUNG ADULTS

1) Approve submission of a grant application to the North Carolina Council for Women for prevention of domestic violence and teen dating violence; and if awarded, recognize, receive and appropriate the grant funds for the grant period; and if awarded, authorize one position in the Community Support Services (CSS) Department, Women's Commission Division.

15-2723 MINUTES

Approve Minutes of Regular meeting held July 7, 2015 and Closed Session held July 7, 2015.

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15-2726 PROCLAMATION -- CHILD SUPPORT AWARENESS MONTH

Adopt a proclamation declaring August 2015 as Child Support Awareness Month in Mecklenburg County.

15-2729 LAND DONATION -- COFFEE CREEK GREENWAY

Accept the donation of a portion of Tax Parcel 201-301-11 (±3.255 acres) for the future construction of a portion of Coffee Creek Greenway trail from Grove Associates LTD Partnership.

**15-2730 LEASE AND OPERATIONS AGREEMENT -- ANUVIA PREVENTION
AND RECOVERY CENTER, INC.**

Adopt Resolution declaring intent to lease property to Anuvia Prevention and Recovery Center, Inc. and approve Operations Agreement contingent upon lease approval.

15-2734 INTERLOCAL AGREEMENT WITH THE TOWN OF HUNTERSVILLE

Adopt Resolution authorizing Interlocal Agreement for funding of Torrence Creek Stream Restoration Project; and receive and appropriate up to \$141,866 from the Town of Huntersville for its share of the Torrence Creek Stream Restoration Project.

MECKLENBURG COUNTY

**RESOLUTION AUTHORIZING EXECUTION OF THE
INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE FOR
FUNDING OF THE TORRENCE CREEK WATER QUALITY PROJECT**

WHEREAS, on May 17, 1993 the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County – Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, the Plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County and the Town of Huntersville (the “Town”) have negotiated an Interlocal Agreement for Funding of the Torrence Creek Water Quality Project; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement “...shall be ratified by resolution of the governing board of each unit spread upon its minutes”; **now, therefore, be it**

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Interlocal Agreement for Funding of the Torrence Creek Water Quality Project between the County of Mecklenburg and the Town of Huntersville in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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15-2735 TAX COLLECTOR'S ANNUAL SETTLEMENT FOR FISCAL YEAR 2015

Receive and Accept the Tax Collector's Settlement for Fiscal Year 2015.

Note: The Tax Collector's Settlement is submitted to the Board of County Commissioners in accordance with North Carolina General Statute 105-373(3). The Settlement is to be entered into the records of the Board of County Commissioners as directed by statute.



MECKLENBURG COUNTY
Office of the Tax Collector

To: Board of County Commissioners
 Dena Diorio, County Manager

From: Neal L. Dixon, Tax Collector

Date: July 11, 2014

Subject: Tax Collector's Settlement for Fiscal Year 2014

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Mecklenburg County Board of Commissioners for fiscal year 2014 (tax year 2013).

Total FY 2014 Tax charged to the Tax Collector for Collection: \$953,156,558.46

Real Estate and Personal Property Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$916,231,320.17	\$912,055,203.04	\$8,756,280.50	99.54%

Registered Motor Vehicle Tax

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$36,925,238.29	\$34,524,572.10	\$3,117,848.68	93.50%

Combined Total

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$953,156,558.46	\$946,579,775.14	\$11,874,129.18	99.31%

At the end of FY2014 there were a total of 88 parcels with tax bills totaling \$100,540.35 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection for these tax bills. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 551 real estate, personal property, and registered motor vehicle tax bills totaling \$361,209.96. Since the above totals were barred from collection, it is important to note that when these totals are removed from the net levy calculation, the combined collection percentage increases to 99.36%.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS
700 East Stonewall Street (28202) • P.O. Box 31457 • Charlotte, North Carolina 28231 • 704-336-3322

Tax Collector’s Settlement for Fiscal Year 2014
Page 2

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

Prior Year Collections

During FY 2014, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY2014</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2007	\$744,391,824.33	\$ 296,834.67	\$1,888,090.12	99.75%
2008	\$779,158,273.77	\$ 323,966.24	\$1,975,913.90	99.75%
2009	\$800,202,903.77	\$ 617,802.23	\$2,323,359.50	99.71%
2010	\$813,590,936.26	\$ 947,680.21	\$5,546,880.44	99.32%
2011	\$890,026,307.02	\$1,986,682.85	\$3,781,601.56	99.58%
2012	\$871,431,922.36	\$4,960,670.67	\$5,302,533.48	99.39%

Registered Motor Vehicle Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY2014</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2010	\$54,443,640.68	\$ 77,652.22	\$1,401,542.07	97.43%
2011	\$58,110,115.27	\$ 393,268.47	\$1,186,187.91	97.96%
2012	\$61,456,571.21	\$7,243,970.68	\$1,761,048.00	97.13%

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 704-336-3322 if you have any questions or comments regarding this settlement report.

North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body.

Tax Collector

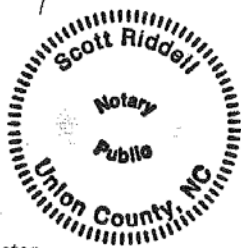
Date

Sworn to and subscribed before me this 11th day of July, 2014

Notary Public

My commission expires:

Date



CC: Julie Berger, Deputy Director, Office of the Tax Collector
Kimberly Deal, Deputy Director, Office of the Tax Collector

Tax Collector's Settlement recorded in full in Minute Book/Ordinance Book # _____.

15-2736 PROCLAMATION -- ATTENDANCE AWARENESS MONTH

Adopt a joint proclamation designating September as Attendance Awareness Month in Charlotte & Mecklenburg County.

A copy of the Proclamation is on file with the Clerk to the Board.

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15-2737 SET PUBLIC HEARING -- NO WAKE ZONE REQUEST

Set a public hearing for September 1, 2015 at 6:30 p.m. to receive public comment regarding a requested No Wake Zone on Mountain Island Lake and authorize the Clerk to publish the notice of public hearing.

15-2738 ORDER OF COLLECTION -- 2015 AD VALOREM TAXES

Approve Order of Collection Authorizing the Tax Collector to collect 2015 ad valorem taxes.

ORDER OF COLLECTION

*NORTH CAROLINA, MECKLENBURG
TO THE TAX COLLECTOR OF MECKLENBURG COUNTY
GENERAL STATUTE 105-321(b)*

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Mecklenburg and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Order recorded in full in Minute/Ordinance Book _____, Document # _____.

**15-2740 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN
ACQUISITIONS**

1) Accept the Offer of Sale of Real Estate from Captain Brown Properties Limited Partnership, owner of property at 1931-1945 Merriman Avenue and 1309-1311 Spruce Street (Tax Parcel 119-041-21), for \$333,000.

2) Accept the Offer of Sale of Real Estate from Craig & Monisha Swanson, owners of property at 3803 Winfield Drive (Tax Parcel 131-102-05), for \$138,000.

3) Accept the Offer of Sale of Real Estate from Cynthia & Steven Spurgeon, owners of property at 3838 Sheffield Drive (Tax Parcel 131-102-34), for \$195,000.

4) Accept the Offer of Sale of Real Estate from Bobbie & Ann Raye, owners of property at 3919 Dolphin Lane (Tax Parcel 099-116-16), for \$45,000.

5) Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

15-2742 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursements of \$10,969 for Sheriff's Office and \$367 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2743 GRANT AWARD -- FM GLOBAL GRANT (FIRE MARSHAL'S OFFICE)

Recognize, receive and appropriate funds awarded from FM Global Grant in the amount of \$1,610 to the Mecklenburg County Fire Marshal's Office.

Note: Recognizing the funding awarded of \$1,610 through the FM Global fire prevention grant to purchase smoke detector batteries and a Dalmatian costume with accessories will allow the Fire Marshal's office to continue to teach lifesaving skills for individuals and their families. Funding for the mascot costume will help with reaching the school-aged children providing a more upbeat program to hold attention spans, while providing lifesaving education programs.

15-2744 GOVERNMENT DISTRICT PARKING DECK -- RETAIL TENANT LEASE

Adopt the resolution entitled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Our Health, LLC," and recognize and appropriate \$23,500 of rental income to cover costs associated with leasing retail portions of the parking deck.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING LEASE OF PROPERTY TO
OUR HEALTH, LLC

WHEREAS, Mecklenburg County is the owner of the Government District Parking Deck, located at 901 E. 4th Street, Charlotte, NC, parts of which were designed for use as retail space; and

WHEREAS, Our Health LLC, has submitted a proposal to lease two of the retail spaces attached to the Government District Parking Deck at 4th and McDowell Streets; and

WHEREAS, EnRich Commercial, LLC, the real estate firm secured by the County to obtain tenants for the retail portion of the parking deck is in agreement with the following proposed business terms:

- Location** 901 E. 4th Street, Suites C & D
- Total Square Footage** 3,144 SF
- Lease Term** Five (5) years & Six (6) Months
- Base Lease Rate** \$20.00 per sq. ft. (62,880/yr.)
- Insurance** Tenant is required to maintain liability, property, Worker's Compensation and Professional Errors & Omissions insurance.
- Maintenance & Janitorial** Tenant is responsible for all maintenance and janitorial services required within Premises. In addition to Base Rent (Revenue), Tenant will pay Landlord their pro-rata share of the exterior maintenance, landscaping, trash removal and general maintenance. Tenant's pro-rata share amount in year 1 is estimated to be \$872.46/month.
- Annual Increases** Years 2 – 5: 2% annually
Years 6 – End of 9th: 2% annually
- Revenue (Years 1-5)** Year 1: \$62,880.00
Year 2: \$64,136.60
Year 3: \$65,420.35
Year 4: \$66,728.75
Year 5: \$68,063.33
- Option to Renew** One extension option: Four (4) years and One Hundred and eighty-four (184) days
- Delivery of Premises** Tenant to take Premises "as is".

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WHEREAS, the County's Asset and Facility Management Department has determined that the space that Our Health, LLC desires to lease will not be needed by the County during the term of the lease; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by Our Health, LLC; **now, therefore, be it**

RESOLVED that the Mecklenburg County Board of Commissioners does hereby approve a lease arrangement with Our Health, LLC as described above, and authorizes and directs the County Manager, or his designee, to negotiate and execute a formal lease agreement with Our Health, LLC, consistent with the business terms outlined above.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2745 LAND DONATION -- MCMULLEN CREEK

Accept donation of a portion of Tax Parcel 163-094-10 (+/- 2.0388 acres) from E. Alan Hoover for floodplain management and Park & Recreation purposes.

**15-2746 GROUND LEASE WITH THE CITY OF CHARLOTTE -- DIXIE RIVER
ROAD PROPERTY**

Authorize the County Manager to negotiate and execute a lease with the City of Charlotte for recreational facilities on City owned Tax Parcel 113-291-02 (+/- 130 acres) on Dixie River Road.

**15-2747 DECLINE STATUTORY RIGHT OF FIRST REFUSAL -- FORMER VILLA
HEIGHTS ELEMENTARY SCHOOL**

Decline the County's Statutory Right of First Refusal for the former Villa Heights Elementary School site that the Charlotte-Mecklenburg Board of Education (CMBE) proposes to lease to Veritas Community School, Inc.

Note: Charlotte-Mecklenburg Schools proposes to lease the former Villa Heights Elementary School, located at 800 Everett Place in Charlotte, to Veritas Community School, Inc. Veritas' mission is to empower the scholar and athlete in every child through health and wellness practices within a peaceful environment. Veritas' focus areas include targeted academics such as research-based reading and math programs, health and wellness through frequent opportunities for movement and challenging daily exercises, as well as peaceful classrooms which aim to guide students through the conflict resolution process. The 2015-2016 school year will be Veritas' first year of operation. The school is scheduled to open on August 24, 2015 with grades K-3. Veritas's expected enrollment for the 2015-16 school year is 200 students. The school anticipates an enrollment of 250 students the following year, and 300 students by the 2017-18 school year.

**15-2750 GRANT APPLICATION -- FEMA HAZARD MITIGATION ASSISTANCE
(LUESA)**

1) Authorize the County Manager to apply for Hazard Mitigation Assistance grant funding for two projects totaling up to \$546,500 to FEMA through the North Carolina Department of Public Safety, Division of Emergency Management for both structure elevation and property acquisition.

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2) If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute contracts with the North Carolina Department of Public Safety, Division of Emergency Management. 3) Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

**15-2751 CAPITAL REQUEST EXPENDITURE -- MECKLENBURG COUNTY
SPORTSPLEX AT MATTHEWS**

Authorize expenditure of up to \$5,000 from the Synthetic Field Capital Reserve Fund to purchase automatic electronic defibrillators (AED's) for the Mecklenburg County Sportsplex at Matthews.

15-2756 JAIL NORTH -- FIRE ALARM CONSTRUCTION CONTRACT

Award a construction contract to Eagle Fire, Inc. in the amount of \$1,105,069 for the replacement of the Fire Alarm at Jail North.

15-2757 TAX REFUNDS

1) Approve refunds in the amount of \$11,550.20 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: 1. This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$1,568,017.66 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$174,660.25.

A list of the tax refund recipients is on file with the Clerk to the Board.

**15-2764 JOINT PROCLAMATION -- PURPLE HEART RECIPIENT APPRECIATION
DAY**

Adopt a joint proclamation designating August 15, 2015 as Purple Heart Recipient Appreciation Day in Charlotte and Mecklenburg County.

A copy of the proclamation is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2719 COMMUNITY SUPPORT SERVICES DEPARTMENT POSITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize one position in Community Support Services, Homeless Services Division: 1 Senior Social Worker (annual market rate) \$54,664.

Commissioner Leake removed this item from Consent for more public awareness.

15-2725 BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize and appropriate \$422,841 from concealed handgun permit fees to the Sheriff's Special Revenue Fund.

Commissioner Leake removed this item from Consent for more public awareness.

15-2731 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate an increase in revenue to the Health Department in the amount of \$124,916 from state, federal funding and other funding; and approve the creation of one Health Investigator to be funded by state funding.

Note: The NC Department of Health and Human Services (NC DHHS) has awarded the Health Department an increase of \$42,284 in state funds for Ebola monitoring and to reduce high drug overdose rates through the Project Lazarus program. The Communicable Disease branch is awarding \$43,336 to fund the Health Investigator position to link newly diagnosed HIV clients who are lacking basic resources to services to ensure continuity of care. The remaining \$16,796 are federal funds for the WIC Peer Counselor program.

Ryan White Funds in the amount of \$22,500 will allow the Carolina Alcohol and Drug Resources (CADRE) Program to provide additional services to current and new consumers suffering from co-occurring disorders of mental health, substance abuse and HIV/AIDS. The CADRE program will use the funds for a temporary Clinician.

Commissioner Leake removed this item from Consent for more public awareness.

15-2739 BUDGET AMENDMENT -- HEALTH DEPARTMENT AMENDED FEE SCHEDULE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the modified Health Department clinical fee schedule, and recognize, receive and appropriate an additional \$55,000 in clinical fees.

Note: In consultation with Navigant Consulting, Inc. the Health Department clinical fee schedule has been modified to:

- *add new fees based upon the Medicaid rate*
- *increase existing fees that are under the Medicaid rate to the current Medicaid rate*

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These fee modifications will generate an additional \$55,000 to be used to cover increase in cost of clinical supplies.

Mecklenburg County Health Department
Fee Modifications for Approval

CPT/ HCPCS	Description	Proposed Fee
Case Management Services		
T1016	Case management, each 15 minutes	17.52
T1017	Targeted case management, each 15 minutes	23.61
Communicable Disease or Refugee		
17111	Destruct lesion, 15 or more	94.04
31615	Tracheobronchoscopy through established tracheostomy incision	138.41
71015	Chest x-ray, chest stereo, frontal	8.76
80074	Acute Hepatitis Panel	59.25
82247	Bilirubin; total	6.39
82248	Bilirubin; direct	6.39
82274	Occult blood, by fecal hemoglobin	20.22
82565	Creatinine; blood	6.52
82977	Glutamytransferase, gamma (GGT)	9.15
83655	Lead	15.39
84460	Transferase; alanine amino (ALT) (SGPT)	6.73
85025	CBC	9.88
86356	Mononuclear cell antigen, quantitative	33.02
86359	T cells	47.96
86360	T cells; absolute cd4 and cd8 count, including ratio	59.74
86361	T cells; absolute CD4 count	34.04
86481	Tb Ag Response T-Cell Susp	60.00
86696	Antibody; herpes simplex, type 2	24.62
86710	Antibody; influenza virus	17.24
86777	Antibody; Toxoplasma	18.27
86787	Antibody; varicella-zoster	16.38
86803	Hepatitis C antibody;	18.15
87340	Infectious agent antigen detection by(HBsAg)	11.83
J0133	Injection, acyclovir, 5 mg	0.02
J0456	Azithromycin	17.33
LU102	Record of Tuberculosis Screening	20.00
Family Planning and Women's Health		
17110	Destruction, 1-14 lesions	78.99
82947	Glucose; quantitative, blood (except reagent strip)	4.99
88141	Cytopathology, cervical or vaginal, requiring interpretation by physician	21.76
88175	Pap w/ reflex HPV	33.04
J0696	Ceftriaxone sodium injection	1.43
J7302	Levonorgestrel iu contracept	745.23
J7307	Etonogestrel implant system	698.99
Immunization		
90460	Immunization administration through 18 years	23.98

7/27/2015

Mecklenburg County Health Department
Fee Modifications for Approval

CPT/ HCPCS	Description	Proposed Fee
90461	Immunization administration through 18 years of age ; each additional	12.29
90472	Immunization admin, each add	13.71
90474	Immune admin oral/nasal addl	13.71
90630	Quadrivalent intradermal flu, single	19.33
90651	HPV, 3 dose schedule	175.87
90656	Flu vaccine no preserv 3 & >	16.75
90687	Influenza virus vaccine, quadrivalent (IIV4), split virus	20.82
90703	Tetanus toxoid	20.70
G0009	Administration of pneumococcal vaccine	44.55
Lab		
83020	Hemoglobin fractionation and quantitation; electrophoresis (eg, A2, S, C, and/or F)	15.48
83021	Hemoglobin fractionation and quantitation; chromatography (eg, A2, S, C, and/or F)	22.96
85660	Sickling of RBC, reduction	7.02
87267	Infectious agent antigen detection by(DFA)	14.57
87430	Infectious agent antigen detection by ; Streptococcus, group A	14.57
T1029	Lead Investigation	437.25
Multiple Programs		
80053	Comprehensive Metabolic Profile	10.74
80061	Lipid panel	17.04
80076	Hepatic function panel	10.19
83036	Hemoglobin; glycosylated (A1C)	12.34
86593	Syphilis Test Non-Trep Quant	5.61
86706	Hepatitis B surface antibody (HBsAb)	13.66
86707	Hepatitis Be antibody (HBeAb)	14.71
86780	Antibody; Treponema pallidum	17.26
87252	Virus isolation; tissue culture inoculation	20.71
87492	Chlamydia trachomatis, quantification	41.41
87517	Hepatitis B virus, quantification	41.41
87536	HIV-1, quantification	67.59
87592	Neisseria gonorrhoeae, quantification	41.41
88148	Cytopath, c/v, auto rescreen	13.43
99241	Office consultation	39.98
A4268	Contraceptive supply, condom, female, each	75.13
J0561	Penicillin g benzathine inj	3.92
Q0144	Azithromycin dihydrate, oral	20.96

7/27/2015

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Clarke returned to the dais.

15-2752 DSS ENERGY PROGRAMS OUTREACH PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the DSS Energy Programs Outreach Plan for FY2016.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Energy Business Plan. The funding plan specifies the services that are provided with this grant such as:

AUGUST 4, 2015

Crisis Intervention Program and Low Income Energy Assistance Program. These funds are included in the current fiscal year approved budget.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.

15-2768 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate funds from Charlotte-Mecklenburg Board of Education in the amount of \$35,000 to the School Health program.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:06 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 1, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2779, 15-2780, 15-2783, 15-2785, and 15-2799 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

**15-2782, 15-2792, 15-2816 BUSINESS LOCATION AND EXPANSION, CONSULT WITH
ATTORNEY, LAND ACQUISITION**

Prior to going into Closed Session, County Attorney Bethune announced the following matter to be discussed in Closed Session under Land Acquisition: Tax Parcel 115-09-105.

Note: There was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Land Acquisition.

The Board went into Closed Session at 5:19 p.m. and came back into Open Session at 5:47 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

15-2788 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Rev. Willie Bee Simpson addressed the need for changes in the law with respect to unarmed individuals being shot by law enforcement personnel. Rev. Simpson also expressed thanks to County Park and Recreation for the water fountain placed in Progress Park.

15-2802 APPOINTMENTS

HISTORIC LANDMARKS COMMISSION

The vote was taken on the following nominees for an appointment to the Historic Landmarks Commission:

Laura Hoover	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough
--------------	--

Voting Ceased

Lynn Weis

Chairman Fuller announced the appointment of Laura Hoover to the Historic Landmarks Commission for a three-year term expiring July 31, 2018.

Note: She replaced David Gieser, who resigned because of a conflict of interest.

PARK & RECREATION COMMISSION

The vote was taken on the following nominees for an appointment to the Park and Recreation Commission for a Central Region 3 representative:

Andrew Bowen	None
Abram “Abe” Early	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough

Note: Commissioner Leake did not vote.

Chairman Fuller announced the appointment of Abram “Abe” Early to the Park and Recreation Commission as the Central Region 3 representative for a three-year term, expiring June 30, 2018.

Note: He replaced Charles McRee, who was no longer eligible to serve having served two full consecutive terms.

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The vote was taken on the following nominees for an appointment to the Park and Recreation Commission for an At-large representative to fill an unexpired term, expiring June 30, 2016:

Andrew Bowen	None
Brian Cox	Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Voting Ceased

John Hanline
Heidi Pruess

Note: Commissioner Cotham did not vote.

Chairman Fuller announced the appointment of Brian Cox to the Park and Recreation Commission as an At-large representative to fill an unexpired term, expiring June 30, 2016.

Note: He replaced Joseph Pata, who resigned.

The vote was taken on the following nominees for an appointment to the Park and Recreation Commission for an At-large representative for a three-year term, expiring June 30, 2018:

Andrew Bowen	None
John Hanline	None
Heidi Pruess	Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Chairman Fuller announced the appointment of Heidi Pruess to the Park and Recreation Commission as an At-large representative for a three-year term, expiring June 30, 2018.

Note: She replaced Norman Mitchell, who was no longer eligible to serve having served two full consecutive terms.

15-2805 APPOINTMENT -- WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Jason Thomas to the Waste Management Advisory Board as recommended by Charlotte City Council to fill an unexpired term, effective immediately and expiring November 5, 2015 and for a full three-year term effective November 6, 2015 and expiring November 5, 2018.

Note: Jason Thomas will replace Howard Cohen. Five members of the Waste Management Advisory Board are appointed per the recommendation of Charlotte City Council. On Monday, August 24, 2015, Charlotte City Council voted to recommend Jason Thomas to the Board of County Commissioners for appointment consideration.

Commissioner Clarke left the dais and was away until noted in the minutes.

PUBLIC HEARINGS

15-2774 NO WAKE ZONE REQUEST

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear comments related to a proposed No Wake Zone on Mountain Island Lake.

Rusty Rozzelle, Water Quality Program Manager presented the request. Officer Laton with N. C. Wildlife Resources also addressed the request.

Commissioner Clarke returned to the dais.

Note: On June 16, 2015, the Land Use and Environmental Services Agency (LUESA) received a request for the establishment of a No Wake Zone on Mountain Island Lake at the area known as “the sandbar”. On July 16, 2015, LUESA and the N.C. Wildlife Resources Commission (NCWR) performed a joint inspection of the site. NCWR are the experts in the establishment of No Wake Zones and LUESA relies heavily on their extensive expertise. Based on the findings, NCWR recommends the No Wake Zone request be denied. LUESA believes NCWR considered all relevant data and information in making their recommendation and supports their recommendation to deny the request for the No Wake Zone. The Charlotte-Mecklenburg Police Lake Patrol informed LUESA that they had not observed any issues at “the sandbar” and concurred with NCWR that the requested No Wake Zone be denied. NCWR recommended denying the request based on “the sandbar” not meeting any of the criteria for the establishment of No Wake Zones as described in North Carolina General Statute 75A-15.

If the Board votes to approve the request, a resolution would be adopted requesting that the N.C. Wildlife Resources Commission undertake rulemaking to establish a new No Wake Zone on Mountain Island Lake. A “No Wake Zone” is defined as an area of a lake or river where vessels are required to travel at an idle speed or a slow speed creating no appreciable wake. No Wake Zones are typically identified by floating buoys and/or signs. N.C. law establishes that only NCWR Commission and Marine Commissions can approve a No Wake Zone.

Comments

Commissioner James said the Board should extract itself from this process, because the decision to establish a No Wake Zone resided with the N.C. Wildlife Resources Commission.

Commissioner James suggested consideration be given to changing the County’s process to allow a petitioner to apply directly to the N.C. Wildlife Resources Commission.

Commissioner Dunlap asked if a petitioner could appeal to the N.C. Wildlife Resources Commission if the County denied the request. *The response was no, because the County’s process for considering a No Wake Zone request was approved by the NCWR Commission. Therefore, whatever decision made by the Board would be honored by the NCWR Commission.*

Commissioner Leake asked for clarity regarding the process, which was addressed.

Commissioner Ridenhour asked about congestion and homes in the area, which was addressed.

Chairman Fuller asked about the danger buoy, which was addressed.

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Commissioner Scarborough asked if the placement of the No Wake Zone would help or not help, boat traffic in this area, which was addressed.

Commissioner Clarke commented on the fact that the NC Wildlife Resources Commission would ultimately make the determination and not the Board.

The following person appeared to speak in support of a No Wake Zone:

Trevor Shipman, the petitioner, addressed the need for a No Wake Zone in the “sandbar” area. Mr. Shipman said his primary concern was for safety on the water.

Mr. Shipman said he had concerns because of the close proximity of boaters and the “sandbar” created by the narrow channel, regardless of whether someone was on a boat or recreating in some other manner. He said because of the narrow channel, boaters often have to have a “share the road mentality,” and end up getting within feet of each other to avoid hitting the bottom. He said many times this was done at an unsafe speed and the subsequent weight of the passing boat could change the course of the direction of a boat unintentionally, thus, putting everyone in the area “at risk.” Mr. Shipman said he witnessed a child on a raft almost getting hit as a result of this.

Mr. Shipman said often times boaters pass through the “sandbar” area at an unsafe speed.

Additional Comments

Commissioner James said another solution would be to ban persons from getting off the “sandbar,” from getting out of their boats.

Commissioner James said what he didn’t like about the process was that it held the County accountable for something it was not responsible for.

Commissioner Dunlap asked for clarity around the Board’s responsibility for determining whether the request met the criteria, which was addressed.

County Manager Diorio said the County’s process was the only method by which Mecklenburg County residents could submit a request to the NCWR Commission for a No Wake Zone on Mountain Island Lake. She said residents could not apply directly. County Manager Diorio said the NCWR Commission would only accept applications that come the local governing board.

Commissioner Dunlap suggested and it was the sense of several Board members, as well, that if this was the only way by which a resident’s request could be made to the NCWR Commission, then the Board should forward that request on to the NCWR Commission for consideration.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner James voting no, to close the public hearing related to a proposed No Wake Zone on Mountain Island Lake and adopt the Resolution Requesting That The N.C. Wildlife Resources Commission Undertake Rulemaking To Establish A New No Wake Zone On Mountain Island Lake.

**MECKLENBURG COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION REQUESTING THAT THE N.C. WILDLIFE RESOURCES COMMISSION UNDERTAKE RULEMAKING TO
ESTABLISH A NEW NO WAKE ZONE ON MOUNTAIN ISLAND LAKE**

WHEREAS, under authority of North Carolina General Statutes Section 75A-15, any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the North Carolina Wildlife Resources

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Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits; and

WHEREAS, on August 4, 2015, the Mecklenburg County Board of Commissioners set a public hearing to receive comment regarding a requested no wake zone on Mountain Island Lake in Mecklenburg County, which was subsequently advertised in *The Charlotte Observer* on Monday, August 17, 2015; and

WHEREAS, on September 1, 2015, the Mecklenburg County Board of Commissioners held a public hearing to receive public comment regarding the requested no wake zone and voted to approve said request; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby requests that the North Carolina Wildlife Resources Commission undertake rulemaking for purposes of establishing a no wake zone to mitigate hazards to water safety on Mountain Island Lake in Mecklenburg County at the area known as “the sandbar” beginning just south of the sandbar and extending upstream approximately 2,500 feet along the main channel of the Catawba River.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioners James and Ridenhour left the dais and were away until noted in the minutes.

**15-2803 NAMING OF MECKLENBURG COUNTY PARK AND RECREATION FACILITY
(COMMISSIONER LEAKE)**

Note: An application was submitted by Commissioner Vilma D. Leake to rename the Mecklenburg County Park and Recreation facility currently known as Clanton Pavilion located at 3132 Manchester Drive, Charlotte, NC 28217 to Dorothy Doores Waddy Pavilion. Pursuant to the County's facility naming policy, the Board set a public hearing for consideration and approval of the facility naming proposal.

Ms. Waddy passed away earlier this year.

Commissioner Leake stated in her request “Ms. Waddy was an outstanding leading vocal advocate for the West Boulevard Corridor. She was passionate and driven to make a positive impact among the senior citizens, families and to ensure a quality education and fairness for all children. Her involvement reached beyond the West Boulevard Corridor. She made an impact on the City of Charlotte and Mecklenburg County and brought about a change over the negatives to a better life for all people.”

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to open the public hearing on Mecklenburg County's proposal to rename the Mecklenburg County Park and Recreation facility currently known as Clanton Pavilion, located at 3132 Manchester Drive, Charlotte, NC 28217 to Dorothy Doores Waddy Pavilion.

Commissioners James and Ridenhour returned to the dais.

The following persons appeared to speak in support of renaming Clanton Pavilion to Dorothy Doores Waddy Pavilion: Harold Cogdell (former County Commissioner & chairman), Virginia Keoch and Angela Greene.

In addition to Commissioner Leake speaking in support of the request to change the name of Clanton Pavilion to Dorothy Doores Waddy Pavilion, so did Commissioners Scarborough, Cotham, and Chairman Fuller.

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Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on renaming Clanton Pavilion to Dorothy Doores Waddy Pavilion and approve renaming the Mecklenburg County Park and Recreation facility currently known as Clanton Pavilion located at 3132 Manchester Drive, Charlotte, NC 28217 to Dorothy Doores Waddy Pavilion.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

15-2674 CHARLOTTE-MECKLENBURG YOUTH COUNCIL

The Board received a year-end report for the Charlotte-Mecklenburg Youth Council from Youth Council members, Rickey-Levon Burch from Butler High School and Jason Kerman from North Mecklenburg High School.

Note: Mecklenburg County contracts with Generation Nation to develop a program to engage youth in meaningful involvement in County policy and decision-making. This program, called Charlotte-Mecklenburg Youth Council, is available to County Commissioners and County staff to inform and give feedback about issues important to youth.

Chairman Fuller thanked the students for the report.

A copy of the report is on file with the Clerk to the Board.

Commissioner Puckett left the dais and was away until noted in the minutes.

15-2741 CAPITAL PROJECTS

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes and Commissioner Cotham voting no, to amend FY2015 and FY2016 Authorization Government Facilities Capital Projects Ordinances.

Mark Hahn, Director, Asset and Facility Management presented this matter.

Note: This restated ordinance reflects the adjustments in the Government Facilities capital projects included in the proposed Capital Improvement Plan. To facilitate development of Bringing Mecklenburg to You, the authorization includes funding for all the currently proposed government facilities.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st DAY OF SEPTEMBER 2015.

Sections I, II and III are amended as follows:

Section I. *That for the purpose of providing funds, together with any other available funds, for the following projects:*

Government District Renovations/Relocations

Courtroom Upfits

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LUESA Relocation
MEDIC Headquarters Relocation
Energy Upgrades

Valerie C. Woodard Center Renovations
Board of Election Renovations

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$174,800,000 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds:	
2014-2015 fiscal year	\$ 23,014,000
2015-2016 fiscal year	43,544,000
2016-2017 fiscal year	74,578,000
2017-2018 fiscal year	33,664,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund, cash in an amount necessary to meet obligations until such time as permanent funding is arranged, at which time repayment, if required, will be made.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

Note: Prior to the above vote, the following questions were raised:

Chairman Fuller questioned relocation of the Public Defender's Office, in light of concerns he was made aware of. *Director Hahn addressed the relocation of the Public Defender's Office and said he was aware of the Public Defender's Office concerns.*

Commissioner Cotham expressed opposition to relocating the Public Defender's Office from their current location. She suggested that portion be removed from the request, to allow the Board to address the concerns raised by the Public Defender's Office.

Commissioner Leake asked about renovations with respect to the County's financial division, which was addressed by County Manager Diorio.

County Manager Diorio said staff was aware of the concerns of the Public Defender's Office, and that it was her understanding, a tremendous amount of dialogue had taken place between the Public Defender and his staff, including looking at the design and providing input. County Manager Diorio said this was not a "rush" deal.

County Manager Diorio said the County was giving the Public Defender's Office options to consider, with respect to the relocation of their office.

County Manager Diorio said "at the end of the day, this was County space." She said staff wanted to make sure it maximized "County space" to the extent that made the most sense for everyone.

Commissioner Cotham asked was it not correct that the County was statutorily obligated to provide space for the Public Defender's Office. *County Manager Diorio said yes, but that it was important to do space planning that was in the "best interest" of the entire County, which was being done "in this instance."*

Commissioner Leake said the needs of County departments should be first.

Commissioner Puckett returned to the dais.

Resolution Approving Bundling Construction projects

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Cotham voting no, to adopt Resolution Approving Bundling Construction projects.

Mark Hahn, Director, Asset and Facility Management presented this matter.

Note: With respect to the bundling request, on numerous County construction projects put out for bid in July and August, 2015, the County had not been able to award contracts because of receipt of either no bids, or too few bids to be able to open the bids in some instances, and with bids being over budget in other instances. A solution would be to allow Asset and Facility Management to combine or bundle together several individual construction projects into one project for bidding and contracting purposes by combining the amounts budgeted in capital projects ordinances.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING BUNDLING CONSTRUCTION PROJECTS**

WHEREAS, *On numerous County construction projects put out for bid in July and August, 2015, the County has not been able to award contracts because of receipt of either no bids, or too few bids to be able to open the bids in some instances, and with bids being over budget in other instances; and*

WHEREAS, *with respect to this situation, representatives from County Asset and Facility Management have talked to numerous contractors of varying sizes and have come to understand the following reasons why few bids were received, and why when bids were received, the bids were over budget:*

- *There is a huge amount of very attractive, lucrative, private sector work;*
- *Many of the County's individual projects that would normally be bid as separate projects are too small to incentivize the larger contractors to bid on them;*
- *Small contractors are at their bonding capacity and can't take on any more work;*
- *Medium sized contractors are either stretched for bonding capacity, or are having trouble finding subcontractors to bid; and*

WHEREAS, *Asset and Facility Management staff have spoken with some of the larger contractors to determine if they would be interested in bidding on County construction projects if several individual projects were combined, or bundled together, and bid as one project; and*

WHEREAS, *the larger contractors that Asset and Facility Management staff have spoken with seem to be interested in the bundled bid idea and bidding on larger, bundled, projects; and*

WHEREAS, *in order for the County to be able to combine or bundle together individual construction projects into one project for bidding and contracting purposes, it will be necessary to combine the amounts budgeted in capital project ordinances into one amount for the combined or bundled project; and*

WHEREAS, *the County Manager and Director of Finance support this method of bundling projects when the sources of funds do not prevent such bundling and recommend it to the Board of County Commissioners; now, therefore, be it*

RESOLVED *by the Mecklenburg County Board of Commissioners as follows:*

- (1) *The director of any department responsible for bidding and overseeing construction projects, with the concurrence of the County Manager, Deputy County Manager or Assistant County Manager, is authorized to combine construction projects that have individual project budgets as established by capital ordinances, into a combined, single, construction project and construction contract; and*

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(2) The Director of Finance is authorized to encumber up to the total amount of the individual project budgets for the projects to be combined as established in capital project ordinances to pay for a combined construction project in those instances when the source of funds appropriated by the capital project ordinances is not restricted in such a manner that they could not be legally used to pay for the combined construction project.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Note: Prior to the above vote, the following questions were raised:

Commissioner Clarke asked about the impact of this on small businesses, which was addressed.

Chairman Fuller asked Director Hahn to comment on feedback that Board members often hear from small contractors when they say they can't get work opportunities from the County. Director Hahn addressed the general contractor and subcontractor process.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

15-2797 BUSINESS INVESTMENT GRANT: NUTEC, INC.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner James voting no, to adopt a resolution approving two Business Investment Program grants to Nutec, Inc., one for a total estimated amount of \$177,129 and the second for a total estimated amount of \$120,295 and authorize the County Manager to negotiate and execute a contract.

Note: Nutec, Inc. is a global manufacturing firm with offices in 50 countries, 700 employees and more than \$76,000,000 in annual sales. Nutec, Inc. is seeking to establish a new manufacturing facility in North America to respond to growing customer demand and new market opportunities. Company leaders have announced their intent to locate in Huntersville and purchase property to construct a new manufacturing plant. Nutec Inc.'s proposed facility and investment meets the guidelines for a five year, County Business Investment Program grant.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING BUSINESS INVESTMENT PROGRAM GRANT TO NUTEC, INC.

WHEREAS, Nutec, Inc. will construct a new manufacturing facility in the Town of Huntersville; and

WHEREAS, the company evaluated sites in York County, South Carolina; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the County. The Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on June 2, 2015 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Huntersville. The project will include two separate phases, each to be eligible for a separate Business Investment Program Grant. The first phase will consist of a capital investment of approximately \$10.6 million and will create 38 new jobs within three years at an average annual salary of approximately \$40,400. The second phase will consist of a capital investment of approximately \$7.9 million and will create 24 new jobs within three years at an average annual salary of approximately \$40,400. Each of the two Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to \$177,129 for phase one and \$120,295 for phase two. Phase two grant eligibility is contingent upon Nutec satisfactorily completing the investment requirement of phase one. The grants will be subject to the County's standard contract

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provisions, including compliance requirements for the company related to job creation targets and clawback provisions; **now, therefore, be it**

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute contracts for the same, with any necessary or helpful nonmaterial changes.

Peter Zeiler, Economic Development Director presented this matter.

Note: Commissioner Leake requested a list of the number of jobs created as a result of awarding Business Investment Program Grants in the last three years.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Clarke left the dais and was away until noted in the minutes.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2707 BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES DEPARTMENT (REVENUE INCREASE)

Recognize, receive and appropriate \$63,000 from the U. S. Department of Housing and Urban Development (HUD) to offset costs associated with administration of the Homeless Management Information System (HMIS) for Mecklenburg County.

Note: These funds will be used to pay user fees for the information system.

15-2770 SOLE SOURCE VENDOR APPROVAL -- WATER QUALITY MONITORING EQUIPMENT

Approve the purchase of water quality monitoring equipment as authorized by the sole source exemption of G.S. 143-129(e)(6)(ii) and (iii) from YSI, Incorporated in the amount of \$260,000.

Note: The County Water Quality Program is using YSI, Inc. multi-parameter probes and data-logging equipment for water quality monitoring. Parts to repair the existing equipment are needed and can only be purchased from this manufacturer.

15-2771 AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Adopt a resolution authorizing sale of surplus personal property by public auction on September 26, 2015 at 10:00 a.m. at 5550 Wilkinson Boulevard, Charlotte, NC.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS Resolution Authorizing Sale of Surplus Personal Property by Public Auction

WHEREAS, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

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WHEREAS, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction; **now, therefore, be it**

RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of September 26, 2015 at 10:00 am at 5550 Wilkinson Boulevard, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2773 SET PUBLIC HEARING -- PRELIMINARY STREET LIGHTING

Adopt a resolution of the Preliminary Assessment Roll for the operating cost of street lights and set a public hearing on October 6, 2015 on Street Lighting Preliminary Assessment Roll for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions

Note: Mecklenburg County participates in an assessment program to provide street lighting in order to increase safety in subdivisions. Homeowners in these subdivisions went through a rigorous petition process that qualified the subdivisions for funding in the form of a loan for the installation and operation of street lights. Homeowners are in turn assessed for these costs until the subdivisions are incorporated into the city limits. The public hearing is required by General Statutes and will allow property owners in these subdivisions to comment on the street lighting assessments for operating costs paid during the FY15 fiscal year.

Resolutions recorded in full in Minute/Ordinance Book _____, Documents # _____, _____, _____, _____, _____, _____.

15-2775 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Gloria J. McNeill, owner of property at 3760 Dresden Drive East (Tax Parcel 131-092-03), for \$135,000.
2. Accept the Offer of Sale of Real Estate from Gloria J. McNeill, owner of property at 3774 Dresden Drive East (Tax Parcel 131-092-01), for \$135,000.
3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: Since late 1999, Mecklenburg County has received numerous hazard mitigation grants and contributed local storm water fee revenue toward Charlotte-Mecklenburg Storm Water Services' Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The properties will be acquired and existing structures demolished.

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**15-2776 RESOLUTION ADOPTION -- LUESA STORM WATER SERVICES –
APPLICANT AGENT DESIGNATION**

Adopt resolution to designate respectively Dena R. Diorio, County Manager and Wanda Reeves, Director of Finance, as Mecklenburg County's primary and secondary agents for Federal flood mitigation grants as required by the North Carolina Division of Emergency Management.

Note: The North Carolina Division of Emergency Management is requiring an update to the August 2007 "Designation of Applicant's Agent" resolution. This action will rename Dena R. Diorio as primary agent and add Wanda Reeves as secondary agent. Designated agents are authorized to execute and file applications for federal and/or state assistance on behalf of Mecklenburg County. Text of resolution is attached. The assistance is used by LUESA Storm Water Services to implement flood mitigation projects.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

**15-2777 RESOLUTION APPROVING 2015 MECKLENBURG COUNTY MULTI-
JURISDICTIONAL HAZARD MITIGATION PLAN ASSESSMENTS**

Adopt resolution approving 2015 Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan.

Note: Mecklenburg County staff, in conjunction with representatives from the City of Charlotte and the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville have completed a 5-year update to the Multi-Jurisdictional Hazard Mitigation Plan (Plan). The goal of the Plan is to identify, analyze, and assess the County's risk to natural hazards as well as establish mitigation actions to be taken by each jurisdictions to address risk issues. A current Plan is a necessary requirement for state and federal disaster assistance eligibility.

Hazard Mitigation Plan Update for 2015 Summary of Revisions

1. Vulnerability to previously identified hazards of Flood, Hurricanes & Tropical Storms, Severe Thunderstorms, Tornadoes, Winter Storms, Earthquakes, Landslides, Sinkholes, Drought, Wildfire, and Dam/Levee Failure was reassessed.
2. New hazard, Solar Events, was added at the request of a citizen and with consensus of the planning team.
3. The hazard analysis section was updated for each hazard with the events that have occurred since the last plan update in 2010.
4. Mitigation actions from 2005 and 2010 were updated by all jurisdictions.
5. New mitigation actions for 2015 were added by all jurisdictions.
6. New mitigation actions specifically for Mecklenburg County are:
 - a. Provide public education to general public regarding solar events and their potential impact to the community
 - b. Participate in Infragard National Electromagnetic Pulse Special Interest Group exercise and 1-day summit (addresses threats that could cause nationwide, long-term critical infrastructure collapse).
 - c. Seek grant funds to retrofit critical facilities and County-owned facilities for improved resilience to all hazards, making use of latest building materials and technology.
 - d. Seek grant funding to install backup generators or quick connect hook ups to mobile generators at any newly constructed county owned critical facilities.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING THE 2015
MECKLENBURG COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, residents and property within Mecklenburg County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the County are particularly vulnerable to flooding, winter storms, hurricanes, tropical storms, severe thunderstorms, tornadoes, droughts, wildfires and earthquakes; and

WHEREAS, the County desires to seek ways to mitigate the impact of identified hazard risks; and

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WHEREAS, the North Carolina General Assembly has in Part 6 of Article 21 of Chapter 143 of the General Statutes, and in Articles 6, 18, and 23 of Chapter 153A of the General Statutes, delegated to county governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents; and

WHEREAS, the North Carolina General Assembly has in General Statute 166A-19.41 (b)(2)3. stated that "[f]or a state of disaster proclaimed pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act" ; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, Mecklenburg County has performed a comprehensive review and evaluation of each section of the previously approved 2010 Multi-Jurisdictional Hazard Mitigation Plan and has updated said Plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

WHEREAS, it is the intent of the Mecklenburg County Board of Commissioners to fulfill this obligation in order that the County will be eligible for federal and State assistance in the event that a state of disaster is declared for a hazard event affecting the County; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby:

1. Adopts the 2015 Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan (the "Plan"); and

2. Vests the Charlotte-Mecklenburg Emergency Management Office with the responsibility, authority, and the means to:

(a) Inform all concerned parties of this action.

(b) Cooperate with federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts; and

3. Appoints the Charlotte-Mecklenburg Emergency Management Office to assure that said Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and federal regulations and that any substantial revisions or amendments to the Plan (those that result in fundamental changes to the Plan) are developed and presented to the Mecklenburg County Board of Commissioners for consideration; and

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Plan.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2778 DONATION FROM NC STATE 4-H PROGRAM

Accept and appropriate a donation in the amount of \$15,000 from the NC State 4-H program to Mecklenburg County Cooperative Extension, a program of Mecklenburg County Park and Recreation - Community and Recreation Center Services, to connect urban youth with outdoor/environmental education.

Note: Mecklenburg 4-H will use these funds to conduct educational programs for youth and families to have outdoor or nature experiences that cultivate positive attitudes towards the environment. Activities will include hands-on workshops, field trips, and tours. Teens will also be trained and involved in leadership roles to facilitate these and other environmental educational programs.

**15-2781 CAPITAL RESERVE EXPENDITURE -- MCDOWELL NATURE PRESERVE
(PARK AND RECREATION)**

Appropriate expenditure of up to \$73,000 from the McDowell Park Capital Reserve Fund for renovations and replacement of two (2) sanitary sewer lift station mechanical systems at the McDowell Nature Preserve.

15-2786 LAND DONATION -- LITTLE SUGAR CREEK GREENWAY

Accept the donation of Tax Parcels 207-093-46 (±9.465 acres) and 207-093-49 (±16.361 acres) from the North Carolina Department of Transportation for the future construction of a portion of Little Sugar Creek Greenway trail in the Town of Pineville.

15-2787 APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to designate Gary R. Fournier as a Review Officer.

***AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2***

WHEREAS, on September 16, 1997, the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. **Now, therefore,**

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows: Gary R. Fournier is hereby designated as a Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add his name.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2789 MINUTES

Approve Minutes of Regular meeting held August 4, 2015 and Closed Session held August 4, 2015.

**15-2790 DONATION -- PLAYPRINTS FROM NORTH CAROLINA RECREATION AND PARKS
ASSOCIATION AND BLUE CROSS BLUE SHIELD OF NORTH CAROLINA**

Approve the installation of PlayPrints at Clanton Park.

Note: Blue Cross and Blue Shield of North Carolina (BCBSNC) is collaborating with the North Carolina Recreation and Park Association (NCPRA) to build healthier communities by providing

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installation of PlayPrints at outdoor spaces across the state. The value of each PlayPrint is up to \$6,000. PlayPrints are ground markings of colorful shapes, images and games painted on open pavement. Research shows that children who visit playgrounds with markings take part in a greater amount of physical activity during recess than children at unmarked playgrounds.

**15-2791 ITEM REMOVED: AMENDED AND RESTATED CHARLOTTE-MECKLENBURG
REGIONAL WORKFORCE CONSORTIUM AGREEMENT**

**15-2793 CAPITAL RESERVE EXPENDITURE -- RAY'S SPLASH PLANET AND MARION DIEHL
POOL (PARK AND RECREATION)**

Appropriate expenditure of up to \$25,000 from the Consolidated Aquatic Capital Reserve Fund for the following:

1. \$4,500 for repairs in the gymnasium at Ray's Splash Planet to include painting the walls, replacing carpet in the gym office and installation of needed wiring and conduit to support the County phone and network
2. \$4,000 for replacement of picnic area equipment at Ray's Splash Planet
3. \$6,500 for replacement of commercial grade appliances at Ray's Splash Planet
4. \$10,000 for installation of a new dive block system on the pool deck at the Marion Diehl Pool.

15-2795 LEASE AGREEMENT -- ANUVIA PREVENTION AND RECOVERY CENTER, INC.

Adopt Resolution authorizing lease of property to Anuvia Prevention and Recovery Center, Inc.

Note: The County currently operates the Mecklenburg County Substance Abuse Services Center (SASC) located in the Sam Billings Center at 429 Billingsley Road Charlotte, NC. Anuvia Prevention and Recovery Center is a not for profit prevention and recovery treatment center located on Billingsley Road with over fifty (50) years of service to the community. Due to operational efficiencies, the County wishes to take advantage of Anuvia's expertise and maximize the level of service delivery to the consumer by transferring operation of the County's SASC to Anuvia and wishes to lease the Sam Billings Center to Anuvia to provide substance abuse treatment. Anuvia has agreed to lease this space for therapeutic Substance Abuse Services and related uses including after-hours function and community use purposes. The Sam Billings Center is ideally located to meet the needs of the population it serves. The terms and provisions of the lease arrangement are set forth in the lease agreement.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING LEASE OF PROPERTY
TO ANUVIA PREVENTION AND RECOVERY CENTER INC.**

WHEREAS, Mecklenburg County owns property located at 429 Billingsley Road, Charlotte, North Carolina, also known as The Sam Billings Center; and

WHEREAS, the County currently operates the Mecklenburg County Substance Abuse Services Center (SASC) located in the Sam Billings Center; and

WHEREAS, the Anuvia Prevention and Recovery Center, Inc. is a non-profit prevention and recovery treatment center located at 100 Billingsley Road, Charlotte, NC 28211 with over fifty (50) years of service to the community; and

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WHEREAS, the County wishes to take advantage of operational efficiencies and maximize its level of service delivery to the consumer by transferring operation of its SASC to Anuvia and enter into a Lease Agreement with the following terms;

Location 429 Billingsley Road Charlotte NC

Total Square Footage 48908

Lease Term Three (3) years

Base Lease Rate \$1.00 per annum

Insurance Anuvia is required to maintain liability, property, Worker's Compensation and Professional Errors & Omissions insurance.

Maintenance & Janitorial Anuvia is responsible for all maintenance and janitorial services required within Premises. In addition to Base Rent, Tenant shall, at Tenant's sole cost and expense, procure any and all services related to the safe and legal conduct of its business. These services may include, but are not limited to, third-party medication, property, or personnel security services. Tenant shall, at Tenant's sole cost and expense, pay separately all utilities provided to the Leased Premises. Tenant shall pay directly to the applicable utility provider(s) all use, connection and consumption charges for gas, water, electricity, telephone, garbage collection, storm-water, and any and all fees and other utility services used in the Leased Premises during the term hereof by Tenant **Option to Renew** So long as Tenant is not in default hereunder, the Tenant is also hereby granted **two (2) one-year** options to renew and extend the term of this Lease, which options shall automatically apply unless, within 90 days of the end of the applicable Lease term, Tenant notifies Landlord in writing of its decision not to renew the Lease for an additional term. The option terms shall be upon the same terms, provisions, and conditions of leasing as in effect under the terms of this Lease immediately prior to the time the option period begins.

Delivery of Premises Tenant to take Premises "as is".

WHEREAS, the County's Asset and Facility Management Department has determined that the space that Anuvia will lease will not be needed by the County during the term of the lease; and

WHEREAS, pursuant to G.S. 160A-272, at its August 4, 2015 meeting, the Board of Commissioners determined that it would be in the public interest for the Board to agree to the lease arrangement between the County and Anuvia Prevention and Recovery Center; and

WHEREAS, the Notice of Intent to Lease was published in the Charlotte Observer on August 17, 2015; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize the lease arrangement with Anuvia Prevention and Recovery Center, Inc., as described above and authorizes the execution of the Lease by the County Manager.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

**15-2796 DECLINE THE COUNTY'S STATUTORY RIGHT OF FIRST REFUSAL –EASTWAY
MIDDLE SCHOOL**

Decline the County's Statutory Right of First Refusal for property that Charlotte-Mecklenburg Board of Education (CMBE) proposes to lease to Berkley Group, LLC at Eastway Middle School.

Note: North Carolina General Statute (NCGS) 115C-518(a) requires local school boards of education to give local boards of county commissioners the first opportunity to acquire any school owned real estate that is proposed for disposal. To comply with this statute, CMS must offer the above cell tower site to the County prior to entering into a lease agreement with Berkley Group, LLC.

**15-2800 SET PUBLIC HEARING -- 2008 PARK AND RECREATION BOND
EXTENSION**

On motion duly made, seconded and carried 8-0, said Board of Commissioners ratified the application by the staff members of the Mecklenburg County Financial Services Department, submitted on behalf of the Board of Commissioners, to the Local Government Commission of North Carolina for an extension of the maximum time period for issuing bonds under an order adopted by said Board of Commissioners on September 3, 2008 and entitled: "BOND ORDER

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AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG,” which order took effect on November 4, 2008, from seven years to 10 years from November 4, 2008.

On motion duly made, seconded and carried 8-0 , said Board of Commissioners fixed 6:30 P.M., on September 15, 2015 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, located at 600 East Fourth Street, Charlotte, North Carolina, as the hour, day and place for a public hearing upon the question of whether the maximum time period for issuing up to \$100,000,000 aggregate principal amount of bonds under an order adopted by said Board of Commissioners on September 3, 2008 and entitled: “BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG,” which order took effect on November 4, 2008, should be extended from seven years to 10 years from November 4, 2008 and directed the Clerk to said Board of Commissioners to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Charlotte Observer not later than the sixth day before the date of said public hearing.

Extract/Resolution recorded in full in Minute Book _____, Document # _____.

15-2801 TAX REFUNDS

1) Approve refunds in the amount of \$10,929.41 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of \$3,484,862.09 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$401,740.42.

A list of the tax refund recipients is on file with the Clerk to the Board.

15-2804 LEASE AGREEMENT -- MEDIC THIRD AMENDMENT TO LEASE

Authorize County Manager to execute documents consenting to the Third Amendment to Lease agreement between Mecklenburg EMS Agency (Medic) and The Liberty Property Limited Partnership, decreasing leased office and operations space and extending the term of the Lease.

Agreement recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2806 JOINT PROCLAMATION -- SUICIDE PREVENTION WEEK

Adopt a joint proclamation designating September 7-13, 2015 as Suicide Prevention Week in Charlotte and Mecklenburg County.

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, in the United States, one person dies by suicide every 12.8 minutes, with 41,149 deaths by suicide in our country during 2013; and

WHEREAS, in our country, suicide is the 2nd leading cause of death for 15-24 year olds, and is the 10th leading cause of death for people of all ages; in Mecklenburg County suicide is the second leading cause of death for people age 25-64 and nearly 15% of CMS high school students indicate they have attempted suicide at least once; and

WHEREAS, in 2014, over 1,100 North Carolinians died by suicide, and several thousand friends and family members were changed forever by losing those people; and

WHEREAS, many of those people who died never received effective behavioral health services, for many reasons including the difficulty of accessing services by healthcare providers trained in best practices to reduce suicide risk, the stigma of using behavioral health treatment and the stigma associated with losing a loved one to suicide; and

WHEREAS, Mental Health America of Central Carolinas is dedicated to reducing the frequency of suicide attempts and deaths, and the pain for those affected by suicide deaths, through advocacy, educational programs, and prevention services; and

WHEREAS, far too many die by suicide each year, and most of these deaths are preventable;

NOW, THEREFORE, WE, Daniel G Clodfelter, Mayor of Charlotte and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners do hereby designate September 7th through 13th, 2015, as

"Suicide Prevention Week"

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official seals of the City of Charlotte and Mecklenburg County.

This 1st day of September 2015.



Daniel G. Clodfelter, Mayor
City of Charlotte





Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



THIS CONCLUDED ITEMS APPROVED BY CONSENT

**15-2779 LIGHTING AGREEMENT -- NEW ROAD CONNECTION PHASE II TO
PHASE I - MECKLENBURG COUNTY SPORTSPLEX AT MATTHEWS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute a 3-year NC Service Agreement with Duke Energy in the amount of \$17,719.20 for street lighting along the new road connecting Phase II of the Mecklenburg County Sportsplex at Matthews to Phase I.

Commissioner Leake removed this item from Consent for more public awareness.

**15-2780 LIGHTING AGREEMENT -- PARKING LOTS AND PEDESTRIAN
WALKWAY LIGHTING IN PHASE II - MECKLENBURG COUNTY
SPORTSPLEX AT MATTHEWS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$495,684 for parking lot and pedestrian walkway lighting in Phase II areas of the Sportsplex at Matthews. Areas included are: Area 2 with parking lot for two multipurpose fields and maintenance compound, Area 3 with parking lot for championship field and Area 4 with parking lot for 4 multipurpose fields.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Clarke returned to the dais.

15-2783 LEASE AGREEMENT -- CHARLOTTE JUNIOR SOCCER FOUNDATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution of intent to approve a new 10-year lease with the Charlotte Junior Soccer Foundation at various Park and Recreation athletic fields.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO APPROVE NEW 10-YEAR LEASE WITH
CHARLOTTE JUNIOR SOCCER FOUNDATION, INC.**

WHEREAS, Mecklenburg County is the owner of park property located at Randolph Road Park, Freedom Park, Latta Park, Pearle Street Park, Independence Park, and Mason Wallace Park in Charlotte, North Carolina which is designated for public recreation; and

WHEREAS, the Charlotte Junior Soccer Foundation spent over \$120,000 to build the existing soccer field at Latta Park for youth recreation; and

WHEREAS, the Charlotte Junior Soccer Foundation proposes to construct capital improvements on the Randolph Road and other listed parks at a cost of \$135,000 in exchange for a new 10-year agreement upon the expiration of the existing contract; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the park property is a suitable location for the construction of capital improvements to the athletic fields; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the proposed capital improvements to Randolph Road and other listed parks will improve athletic facilities for the public; and

WHEREAS, the Charlotte Junior Soccer Foundation proposes to provide routine athletic field maintenance and fund capital improvements to the Randolph Road and listed parks at no cost to Mecklenburg County for public use in accordance with the County's policies and procedures; and

WHEREAS, the Charlotte Junior Soccer Foundation proposes the following lease term:

I. Property:

- a. A portion of Tax Parcel 15704104: Randolph Rd. Park, 201 Billingsley Road, Charlotte, North Carolina*
- b. A portion of Tax Parcel 15104101: Freedom Park, 1900 East Boulevard, Charlotte, North Carolina.*
- c. A portion of Tax Parcel 12311401: Latta Park, 601 East Park Ave., Charlotte, North Carolina.*
- d. A portion of Tax Parcel 12520148: Pearle St. Park, 1200 Baxter St., Charlotte, North Carolina.*
- e. A portion of Tax Parcel 08019201: Independence Park, 300 Hawthorne Lane, Charlotte, North Carolina.*
- f. A portion of Tax Parcel 08019201: Independence Park, 300 Hawthorne Lane, Charlotte, North Carolina.*
- g. A portion of Tax Parcel 19103902: Mason Wallace Park, 7301 Monroe Rd, Charlotte, North Carolina.*

II. Term of Lease: 10-year term from January 1, 2017 to December 31, 2026.

III. Cost of improvements: \$135,000.

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by the Charlotte Junior Soccer Foundation; ***now therefore, be it***

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to approve a 10-year lease agreement with the Charlotte Junior Soccer Foundation and directs that the Clerk of the Board publish a notice of the Board's intent to approve the 10-year term with the Charlotte Junior Soccer Foundation at the Board's September 15, 2015 meeting as required by law.

SEPTEMBER 1, 2015

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this matter.

15-2785 LEASE AGREEMENT -- MYERS PARK TRINITY LITTLE LEAGUE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution of intent to approve a new 10-year lease with the Myers Park Trinity Little League at various Park and Recreation athletic fields.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO APPROVE A NEW 10-YEAR LEASE WITH
MYERS PARK TRINITY LITTLE LEAGUE, INC.**

WHEREAS, Mecklenburg County is the owner of park property located at Randolph Road Park, Grier Heights Park, Pearle St. Park, Independence Park, Mason Wallace Park, and Cherry Park in Charlotte, North Carolina which is designated for public recreation; and

WHEREAS, the Myers Park Trinity Little League has spent over \$1,000,000 to improve various park properties for youth baseball programs; and

WHEREAS, the Myers Park Trinity Little League proposes to construct capital improvements on the Randolph Road and other listed parks at a cost of \$125,000 in exchange for a new 10-year agreement upon the expiration of the existing contract; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the park property is a suitable location for the construction of capital improvements to the athletic fields; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the proposed capital improvements to Randolph Road and other listed parks will improve athletic facilities for the public; and

WHEREAS, the Myers Park Trinity Little League proposes to provide routine athletic field maintenance and fund capital improvements to the Randolph Road and listed parks at no cost to Mecklenburg County for public use in accordance with the County's policies and procedures; and

WHEREAS, the Myers Park Trinity Little League proposes the following lease term:

I. Property:

- a. A portion of Tax Parcel 15704104: Randolph Road Park, 201 Billingsley Road, Charlotte, North Carolina.
- b. A portion of Tax Parcel 15703808: Grier Heights Park, 3110 Leroy Street, Charlotte, North Carolina.
- c. A portion of Tax Parcel 12520148: Pearle St. Park, 1200 Baxter St. Charlotte, North Carolina.
- d. A portion of Tax Parcel 08019201: Independence Park, 300 Hawthorne Lane, Charlotte, North Carolina.
- e. A portion of Tax Parcel 19103902: Mason Wallace Park, 7301 Monroe Rd., Charlotte, North Carolina.
- f. A portion of Tax Parcel 12523401: Cherry Park, 1509 Baxter St., Charlotte, North Carolina.

II. Term of Lease: 10-year term from January 1, 2017 to December 31, 2026.

III. Cost of improvements: \$125,000.

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by the Myers Park Trinity Little League; **now therefore, be it**

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to approve a new 10-year lease agreement with the Myers Park Trinity Little League and directs that the Clerk of the Board publish a notice of the Board's intent to approve the 10-year term with the Myers Park Trinity Little League at the Board's September 15, 2015 meeting as required by law.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

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Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this matter.

**15-2799 GROUND LEASE TO THE TOWN OF HUNTERSVILLE AT HOLBROOKS
ROAD LANDFILL -- K-9 POLICE DOG TRAINING FACILITY**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a ground lease with the Town of Huntersville for a 200' x 200' portion of Tax Parcel 019-371-03 to be used by the Town for a K-9 Police Dog Training Facility.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner James left the meeting and was absent for the remainder of the meeting.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:25 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

SEPTEMBER 15, 2015

MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 15, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Vilma D. Leake, Jim Puckett, Matthew Ridenhour
and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

-INFORMAL SESSION-

Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2807, 15-2809, 15-2814, and 15-2817 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

15-2815 & 15-2832 CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Property located at 4423 Wilkinson Boulevard, Charlotte, NC.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

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The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:25 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

15-2808 APPOINTMENTS

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Tye Allen, Margaret Anthony, and Tom Rothrock to the Adult Care Home Community Advisory Committee for three-year terms, expiring September 30, 2018.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Elizabeth Walker to the Human Resources Advisory Committee for a three-year term, expiring June 30, 2018.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Christian Broome-Hunt to the Women's Advisory Board to fill an unexpired term expiring April 30, 2018, Linda Carr to fill an unexpired term expiring June 30, 2016, and Keiba Young for a three-year term expiring November 30, 2018.

Note: They replace Renee Barfield, who was unable to be reached, Mary Kelly who resigned because of unforeseen personal matters, and Nancy Plummer, who was no longer eligible to serve having served two full consecutive terms.

PUBLIC HEARINGS

Note: This matter was not addressed until after Item 15-2828 because when this matter was reached on the agenda, it was not 6:30 p.m., therefore the Board proceeded to the next agenda item, which was 15-2828.

15-2827 2008 PARK AND RECREATION BONDS EXTENSION

At 6:30 P.M. (actual time 7:08) the Chairman announced that this was the hour, day and place fixed by said Board of Commissioners for the public hearing upon the question of whether the maximum time period for issuing up to \$100,000,000 aggregate principal amount of bonds under an order adopted by said Board of Commissioners on September 3, 2008 and entitled: "BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG", which order took effect on November 4, 2008, should be extended from seven years to 10 years from November 4, 2008. Motion was made by Commissioner Jim Puckett, seconded by Commissioner Vilma D. Leake and unanimously carried to open the public hearing.

The Chairman then announced that said Board of Commissioners would immediately hear anyone who might wish to be heard on said question.

No one appeared, either in person or by attorney, to be heard on said question and the Clerk to said Board of Commissioners announced that no written statement relating to said question had been received.

Thereupon, upon motion of Commissioner Jim Puckett, seconded by Commissioner Vilma D. Leake and carried, the public hearing was closed.

Thereupon Commissioner Jim Puckett introduced the following order, a copy of which had been made available to each Commissioner:

ORDER EXTENDING THE MAXIMUM TIME PERIOD FOR ISSUING UP TO \$100,000,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS UNDER AN ORDER ADOPTED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA ON SEPTEMBER 3, 2008 AND ENTITLED: "BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG"

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina filed an application with the Local Government Commission of North Carolina (the "Commission")

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requesting that the Commission approve an extension of the maximum time period for issuing up to \$100,000,000 aggregate principal amount of bonds under an order adopted by said Board of Commissioners on September 3, 2008 and entitled: "BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG", which order took effect on November 4, 2008, from seven years to 10 years from November 4, 2008; and

WHEREAS, the Commission has entered an order approving said proposed extension; and

WHEREAS, said Board of Commissioners has held a public hearing on said proposed extension as required by G.S. § 159-64;

NOW, THEREFORE, BE IT ORDERED by said Board of Commissioners, as follows:

Section 1. The maximum time period for issuing up to \$100,000,000 aggregate principal amount of bonds under the order adopted by said Board of Commissioners on September 3, 2008 and entitled: "BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG", which order took effect on November 4, 2008, shall be extended from seven years to 10 years from November 4, 2008.

Section 2. This order shall take effect 30 days after its publication following adoption as provided by G.S. § 159-64.

Thereupon, upon motion of Commissioner Jim Puckett, seconded by Commissioner Vilma D. Leake, said order was placed upon its adoption. The vote upon the adoption of said order was:

Ayes: Commissioners Dumont Clarke, Patricia "Pat" Cotham, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

Noes: None.

The Chairman then announced that said order had been adopted.

The Clerk to said Board of Commissioners was thereupon directed to publish said order, together with the appended statement as required by The Local Government Bond Act, as amended, once in *The Charlotte Observer*.

Extract/Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio noted the following under her Manager’s report:

New Hire

County Manager Diorio announced the hiring, as well as, introduced the newest member of her Executive Team, Anthony Trotman, the new Assistant County Manager for Health & Human Services.

State Budget

County Manager Diorio gave an update on the State Budget. It was noted that the County would remain whole with respect to keeping its sales tax.

Special thanks was given to the Mecklenburg County Legislative Delegation for its support of the County with respect to the sales tax issue, and in particular, Representative Bill Brawley for all of his hard work on this issue.

Special thanks was given, as well, to Governor Pat McCrory.

Board members were encouraged to contact members of the Delegation to thank them for their support.

Staff was still working with Charlotte-Mecklenburg Schools regarding the \$750.00 bonus approved in the State budget for all CMS employees. It was noted that CMS employees funded by the County would also need to receive that same bonus, which would be funded by the County.

Flu Season

Dr. Marcus Plescia, Director of the Health Department addressed Flu season. He encouraged citizens to take a flu shot, not only to protect themselves, but others as well, that they may come in contact with. It was noted that several Commissioners, as well as, the County Manager received a flu shot prior to the meeting.

15-2828 STRATEGIC BUSINESS PLANNING UPDATE

The Board received information on the County's Strategic Business Planning initiative.

Dr. Monica R. Allen, Strategic Planning & Evaluation Director gave the report.

Commissioner Clarke entered the meeting and was present for the remainder of the meeting.

A copy of the presentation is on file with the Clerk to the Board.

Comments

The Board gave input around its Community Vision and the process to be used to update the vision if deemed appropriate.

Staff suggested two options.

Option 1:

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County Manager's staff will revise the BOCC Community Vision statement and narrative (last updated in 2011) and align to Mecklenburg Livable Communities Plan information, key

initiatives within the County (e.g., economic opportunity task force purpose) and other relevant information

Bring forth a draft BOCC Community Vision statement and narrative to the BOCC during the October 13 Public Policy meeting

Option 2:

During the November 10 Public Policy meeting, conduct a visioning exercise with the Board that will overhaul the BOCC Community Vision

Bring forth a draft BOCC Community Vision statement to the BOCC during the December 8 Public Policy meeting

Commissioner Dunlap expressed support of Option 1, as well as Commissioner Leake, and made a motion to approve Option 1, but withdrew it, because it was determined that a motion was not necessary at this time.

Commissioner Leake commented on the County's role versus the City of Charlotte's role with respect to communities. It was explained that the things incorporated in the County's Community Vision would be those things the County was directly responsible for, as well as, it would embrace things the County wasn't directly responsible for, but funded, for example education.

Commissioner Leake referenced several statements from the current Community Vision, around affordable housing, senior citizens aging in their homes, and competitive taxes relative to the quality of service provided. Commissioner Leake questioned the reality of these statements. She asked how would the County make these things, as well as other items mentioned in the Community Vision, happen. *Director Allen addressed her concerns.*

Commissioner Leake said at some point, she would like to discuss the issue of a "living wage" from a community perspective.

Commissioner Leake said she was okay with just having the last paragraph of the current Community Vision. "Mecklenburg County will be the best local government service provider. ..."

Commissioner Scarborough asked would this help with upward mobility. *The response was yes. Director Allen elaborated on how the County would contribute to this occurring. It was noted that it would require more than work on the part of the County but other entities as well.*

Commissioner Cotham suggested terms such as "we're going to strive" or "our goal is," be used in the Community Vision statement, rather than saying "we will do ..."

Commissioner Cotham questioned, based on the current Community Vision, how the County could be so specific in saying what it was going to do. She referenced the statement regarding a reduction in HIV/AIDS cases. Commissioner Cotham said the County was a long way from achieving what was currently stated in the Community Vision.

Commissioner Cotham said the County's goals should be reachable.

Commissioner Cotham said whatever document the County put out shouldn't be so "pie in the sky," but rather the County should admit where it was and make statements that were "more truthful and reasonable" to the reader.

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Commissioner Ridenhour said he would be interested in some sort of “hybrid” between Option 1 and Option 2. He said Option 2 would be a very long process and that going with

Option 1 sort of losses some of the Board’s input, thus the “peoples” input, which was why he would be interested in something in the middle.

Commissioner Ridenhour said he would be okay with perhaps holding one Public Policy meeting to get everyone’s input or even individual meetings conducted with each Commissioner for about 30-45 minutes and then have staff to build a vision statement around that feedback.

Commissioner Ridenhour said he would like to see something a little more “tangible, aspirational, and specific without being too specific;” something that said who the County was and who it wanted to be, and would include the Board’s input, “flavor,” and ideas. He said it would encompass a lot of the Mecklenburg Livable Communities Plan, but also encompass the Board’s input.

Commissioner Puckett asked for clarity regarding staff’s request and was it to rewrite the County’s Community Vision to reflect the Mecklenburg Livable Communities process, so that they would be aligned. *Director Allen said that would be one element into the modified or updated Community Vision. Director Allen said there were pieces in the Mecklenburg Livable Communities Plan that the County was not responsible for, but where it would make sense, the County would pull down some of those things from the Communities Livable Plan and incorporate that into the Community Vision; so that the BOCC Community Vision was more reflective of the County, Mecklenburg County government and not the entire community.*

Commissioner Puckett said he interpreted that to mean the County’s component of the Livable Communities Plan and the fulfillment of that component was what would be included in the County’s Community Vision Plan. *Director Allen said yes or where there may be overlapping partnerships.*

Commissioner Puckett said he did not want to waste a lot of time going through a visioning process. He said he liked the last statement in the current Community Vision. He said it was “a pretty good vision statement, not too specific and it’s aspirational.” He said hopefully the Board would spend more time on the “process” rather than on the visioning part of it.

Commissioner Puckett asked that the information to be presented at the October 13 Budget/Public Policy Meeting, be provided to the Board in advance if possible; so that the Board could provide input prior to the meeting and based on the Board’s input, the information could be tweaked by staff and ready for discussion on the 13th.

Commissioner Puckett said he liked the Livable Communities Plan part, the partnership piece, and liked that it laid out who’s responsible for what.

Commissioner Dunlap said it would be much easier for the Board, if the Board allowed staff to bring something back to the Board to respond to.

Commissioner Dunlap said if the Board were to develop it, it would takes months.

Chairman Fuller echoed Commissioner Ridenhour’s sentiment that if staff could come up with some type of hybrid between Option 1 and Option 2 that would be good.

Commissioner Leake said it was about bringing to reality whatever was written.

County Manager Diorio said that’s what the Departmental Strategic Business Plans were about.

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She said they're supposed to be specific strategies that departments would be responsible for. She said actions and metrics would align to themes that would "roll up" to the County's vision and thus be held accountable for doing what departments said they were going to do.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Chairman Fuller thanked Director Allen for the report.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

15-2829 FEATURE DEPARTMENT PRESENTATION: LAND USE AND ENVIRONMENTAL SERVICES AGENCY

The Board received as information a report on Mecklenburg County's Land Use and Environmental Services Agency regarding its six Divisions: Air Quality, Code Enforcement, Geospatial Information Services (GIS), Water and Land Resources, Solid Waste and Support Services, with emphasis regarding its work around Solid Waste planning.

Ebenezer Gujjarlapudi, LUESA Director gave the report.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake requested information on the status of air quality in the Pawtucket community. Commissioner Leake said she often received calls from residents concerned about the oil tanks in their community and its impact on air quality.

Director Gujjarlapudi addressed how the air quality monitoring system worked. He noted that it was a federally regulated program. Director Gujjarlapudi said he would follow-up with Health Director Plescia regarding the concern from a health perspective. He said he would also follow-up to make sure the owners of the oil tanks were in compliance with whatever regulations governed them, per their air quality permit.

Commissioner Puckett said he continued to receive concerns regarding code enforcement and the plan review process.

Director Gujjarlapudi addressed recruitment efforts. He asked Commissioner Puckett to let him know if the concerns he'd received were regarding residential and/or commercial review requests. Director Gujjarlapudi said staff was working on enhancements to the process to make it timelier.

Commissioner Cotham said she, too, continued to receive concerns regarding the wait time for plan review, particularly from developers of single-family homes. *Director Gujjarlapudi said he believed he was aware of a specific concern from a developer. He said in that case, staff was able to get its part done timely, but there were zoning matters that had to be worked through with the City.*

Commissioner Cotham said she had received inquiry, as well, regarding whether the County would be integrating with the City as it related to code enforcement and permitting. *Director Gujjarlapudi said the Gartner Study work was still on-going and depending upon the recommendations out of the study, staff would bring forth recommendations to the Board.*

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Commissioner Cotham commented on the inability of those that work in the City's solid waste collection department to take off on holidays. Commissioner Cotham said over the years, she had expressed her concern to the City regarding this. Commissioner Cotham asked was it possible to find out from the County's contractors for the disposal of solid waste, whether they gave their employees holidays off. *Director Gujjarlapudi said he would find out. He said it's possible they may have to have their work crews always operating, because of other businesses they serviced and open on holidays.*

Commissioner Ridenhour acknowledged and thanked staff for the improvements that had been and were being made with respect to code enforcement and permitting.

Commissioner Ridenhour shared with staff that he continued to hear concerns regarding plan review time and about the need for a culture change.

Commissioner Leake said one of her concerns was that builders often think "it's their way or no way." She said some of the timing delays were necessary in order for staff to ensure compliance and safety.

Commissioner Dunlap said often the complaints received from contractors weren't always the result of failure on the part of the County, but rather, it was something not done on the part of the contractor.

Commissioner Dunlap said whenever there were concerns brought to his attention and forwarded on to staff that staff worked diligently to resolve them.

Commissioner Dunlap suggested to Director Gujjarlapudi that the County "stay out of other folk business." Commissioner Dunlap in explaining what he meant said "all companies and businesses operate in accordance to their own policies and just like with county government and city government, there are times when people are required to work on holidays," and were likewise compensated.

Commissioner Dunlap said the idea of suggesting to other businesses that they should let people off on special holidays, in some instances had "dire consequences for this community." He said the County should leave that up to businesses, as to what to require of its employees.

Commissioner Clarke asked about the retention of employees, in light of the comeback of the construction industry. *Director Gujjarlapudi said the department lost four inspectors in the last six to seven months to industry. He said this was a problem not only for the County, but for the State and the country in general. He said there was a shortage of qualified and available workers. He said the department was working on numerous fronts to try and recruit and retain employees in this field. He said it's difficult, because the private sector was recruiting for the same candidates.*

Chairman Fuller inquired about the Gartner recommendations with respect to working with the municipalities, so that it would be a "seamless" process from the time someone presented their plan, to the time the permit was received.

Director Gujjarlapudi said the first thing that Gartner did was to analyze the current state, which had been completed. He said Gartner was now looking at what the future state could look like, which would answer some of those questions.

Chairman Fuller asked was it known when Gartner's work would be completed. *Director Gujjarlapudi said the hope was by the end of this year or the first of next year. He noted that it was a complicated process, in light of all of the entities involved.*

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Chairman Fuller thanked Director Gujjarlapudi for the report.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

15-2832 CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 115-091-05 located at 4423 Wilkinson Blvd from F.D. Godley Number Two, LLC for the purchase price of \$2,100,000. This site of a total of +/- 5.6 acres is to be added to the assemblage which will be used as the future home for MEDIC, the Mecklenburg Emergency Medical Service. Assemblage includes Tax Parcels 115-091-01, -02, and -04.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2758 REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Amend the Building-Development Ordinance regarding Building Development Commission (BDC) as noted below.

**Amendment to the Mecklenburg County
Building-Development Ordinance**

Section 1: The Mecklenburg County Building-Development Ordinance as adopted on February 29, 1996 is hereby amended as follows:

**Section 107 Charlotte-Mecklenburg Building-Development Commission
107.1.1(A) Membership**

Delete the following text:
The BDC shall consist of one representative recommended by each of the following organizations and appointed by the Board.

Insert the following text:
Unless noted otherwise, the BDC shall consist of one representative recommended by each of the following organizations and appointed by the Board.

- Delete the following text:**
- *Charlotte Chamber of Commerce (Development Industry)*
 - *Charlotte Heating and Air Conditioning Contractors Association*
 - *Charlotte Plumbing, Heating, Cooling Contractors Association*
 - *Mecklenburg General Contractors Association*

Insert the following text:

- Charlotte Chamber of Commerce; 2 persons
 - One person representing the development Industry
 - One person representing small business, from a business with 24 employees or less
- Charlotte Plumbing, Heating, Cooling Contractors Association; 2 persons
 - One person from a business primarily involved in mechanical/HVAC trade work.
 - One person from a business primarily involved in plumbing trade work.
- Associated Builder and Contractors (ABC) Carolina Chapter; represented by a person employed by a firm with an NC General Contractor's license and primarily involved in general construction.

107.1.4 Rules and Procedures

Delete the following text:

- A. "Seven (7) members of the BDC shall constitute a quorum"

Insert the following text:

- A. "A majority of the number of members on the BDC shall constitute a quorum"

Section 2: All other sections of the Ordinance remain in full force and effect.

15-2811 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursements of \$19,050 for Park and Recreation, \$8,378 for Asset and Facility Management and \$3,402 for Sheriff's Office.

Note: The County received insurance proceeds on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2813 MINUTES

Approve Minutes of Regular meeting held September 1, 2015 and Closed Session held September 1, 2015.

15-2819 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Byron and Maria York, owners of property at 3914 Sheffield Drive (Tax Parcel 131-102-33), for \$100,000.
2. Accept the Offer of Sale of Real Estate from Harold and Diane Davis, owners of property at 4849 Stafford Circle (Tax Parcel 163-083-14), for \$339,000.
3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.
4. Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

Note: These acquisitions are being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

Resolution recorded in full in Minute/Ordinance Book ____, Document # ____.

**15-2820 MECKLENBURG COUNTY YARD WASTE PROCESSING AND
RECYCLING FACILITY - BUILDINGS AND INFRASTRUCTURE**

- 1. Adopt US521 Foxhole Landfill/Compost Central/Recycling Centers Improvements Capital Project Ordinance.
- 2. Authorize the County Manager to negotiate and execute a contract with Randolph & Son Builders, Inc. for the Mecklenburg County Yard Waste Processing and Recycling Facility - Buildings and Infrastructure project in the amount of \$13,005,083.

Note: The amended capital project ordinance provides additional budgetary authority to develop and equip Solid Waste facilities, including the relocated Compost Central site.

Ordinance recorded in full in Minute Book _____, Document # _____.

15-2823 PROPERTY INTEREST EXCHANGE - RURAL HILL NATURE PRESERVE

Adopt a resolution of intent to exchange a lease on a portion of County owned Tax Parcel 013-041-01 (+/- 2.25 acres) for an access easement across Tax Parcel 013-181-04 owned by Lewis Atkins Parks Heirs.

Note: The Natural Resources Division of Park and Recreation is working on a plan to restore a portion of Rural Hill Nature Preserve by removing some or all loblolly pine to improve biodiversity and wildlife habitat at the preserve. The Parks Heirs have agreed to grant the County a five (5) year access easement across their parcel in exchange for the County granting the Parks Heirs a five year lease on a portion of County owned Tax Parcel 013-041-01 (+/- 2.25) which is a small portion of Cowan’s Ford Wildlife Refuge and is across Neck Road from the Parks Heirs property.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
DECLARING INTENT TO EXCHANGE A LEASE ON A PORTION OF TAX PARCEL 013-041-01 ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE FOR AN ACCESS EASEMENT ON TAX PARCEL 013-181-04 ALSO ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE

WHEREAS, the County owns Tax Parcel 013-041-01 along Neck Road in the Extra-territorial jurisdiction of Huntersville (hereinafter referred to as the “County Parcel”) which is a portion of the County’s Cowan’s Ford Wildlife Refuge; and

WHEREAS, the County is also owner of the Rural Hill Nature Preserve located along either side of Neck Road in the ETJ of Huntersville; and

WHEREAS, the County is in the process of developing a strategy to remove loblolly pine trees, which are an invasive species to the Rural Hill Nature Preserve, and to restore the property with trees native to this area of North Carolina; and

WHEREAS, the portion of Rural Hill Nature Preserve to be restored is separated from the bulk of the nature preserve by a tributary of McDowell Creek and is bordered by Mountain Island Lake on three sides; and

WHEREAS, the County needs to secure a long term accessible route to and from this portion of the nature preserve to implement activities associated with restoring and maintaining the nature preserve and has determined that the most feasible and desirable route to and from the property is across Tax Parcel 013-181-04 which is owned by the Lewis Atkins Parks Heirs (“Parks Heirs”); and

WHEREAS, the Parks Heirs desire to lease +/- 2.25 acres of the County Parcel to graze farm animals and mow from time to time; and

WHEREAS, the County and the Park Heirs have agreed to exchange a five (5) year access easement across the Parks Heirs property in favor of the County for a five (5) year lease of the County Parcel in favor of the Parks Heirs; and

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WHEREAS, the Mecklenburg County Park and Recreation and Asset and Facility Management Departments have determined that in its opinions the County will receive full and fair consideration for the property interests to be exchanged; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of a lease on the County Parcel for an access easement across the Parks Heirs Parcel and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to authorize the exchange of a lease on the County Parcel for an access easement across the Parks Heirs Parcel at its next regular meeting; directs the County Manager to negotiate a contract for the exchange; and directs the Clerk to the Board to publish the attached notice describing the properties to be exchanged, stating the estimated value of the properties, and announcing the Board’s intent to authorize the exchange on October 6, 2015 at the Board’s next regular business meeting.

Resolution recorded in full in Minute/Ordinance Book ____, Document # ____.

15-2825 LAND DONATION -- LITTLE SUGAR CREEK GREENWAY

Accept donation of a portion of Tax Parcel 173-061-02 (+/- 9.5 acres) from the City of Charlotte for inclusion into Little Sugar Creek Greenway - Tyvola Road to Huntingtowne Farms Park Section.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2807 BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate for the grant period \$240,000 for the fourth year of a five-year grant funded by Substance Abuse and Mental Health Services Administration (SAMHSA) Grant.

Commissioner Leake removed this item from Consent for more public awareness.

Note: The Health Department will enter into a subcontract agreement for year 4 (September 30, 2015 to September 29, 2016) with the Center for Health Policy and Inequalities Research at Duke University to provide comprehensive substance abuse services as part of a federally funded project. The five-year award amount total \$855,455. The project, Carolina Alcohol and Drug Resources (CADRE), is funded through the Substance and Mental Health Services Administration (SAMHSA) and will provide substance abuse treatment services for 5 years (through September, 2017) in Charlotte and Durham, North Carolina for people with and at high-risk for HIV. The services will include individual and group substance treatment, care coordination and peer navigation services.

**15-2809 BUDGET AMENDMENT - COMMUNITY SUPPORT SERVICES
(REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$3,500 for year 1 of Subcontract agreement between The University of North Carolina at Charlotte (UNCC) and Community Support Services.

Commissioner Leake removed this item from Consent for more public awareness.

Note: Community Support Services will enter into a subcontract agreement with UNCC to provide support to a project entitled "Shaping the Message: African American Youth and their Families use Media to Promote Violence Free Dating Relationship." This project is supported by the National Institute of Child Health and Human Development Agency.

15-2814 DONATION FOR REID NEIGHBORHOOD PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to accept and appropriate a donation of up to \$10,000 from Habitat for Humanity of Charlotte for the construction of 10 raised garden beds for Reid Neighborhood Park.

Commissioner Leake removed this item from Consent for more public awareness. Lee Jones with Park and Recreation addressed the donation.

**15-2817 NEW LEASES FOR ATHLETIC FIELDS -- MYERS PARK TRINITY LITTLE
LEAGUE AND CHARLOTTE JUNIOR SOCCER FOUNDATION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Adopt resolutions approving new 10-year leases with Myers Park Trinity Little League and Charlotte Junior Soccer Foundation for various Park and Recreation athletic fields and authorize the County Manager to negotiate a new 10-year lease with each organization.

Resolutions recorded in full in Minute/Ordinance Book _____, Document # _____, _____.

2. Repeal the February 19, 2013 Board resolution to approve a 5-year extension to the current Myers Park Trinity Little League lease.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:57 p.m.

SEPTEMBER 15, 2015

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

OCTOBER 6, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 6, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2841, 15-2845, 15-2847, and 15-2855 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

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15-2835, 15-2849 CLOSED SESSION – CONSULT WITH ATTORNEY, LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following matter to be discussed in Closed Session: Tax Parcel #123-062-10.

Note: There was no Consult with Attorney matter to be discussed.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:30 p.m. and came back into Open Session at 5:41 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

15-2833 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda regarding the David B. Waymer Center in Huntersville:

Betty Caldwell, on behalf of the North Mecklenburg Communities United and the East Huntersville Community Revitalization Group, spoke in support of keeping the David B. Waymer Center and not demolishing it.

Ms. Caldwell said the David B. Waymer Center was a “vital component of east Huntersville’s recreation services and leisure for the immediate community and the surrounding towns.”

The following questions were posed regarding the Center:

1. Did the director, Jim Garges, submit his Plan of Action for Waymer each year?

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2. If yes, how much money was requested and for what repairs?
3. If yes, how much was actually allocated for Waymer in each year's budget?
4. Since no repairs were made, what happened to the allocated funds for Waymer?
5. Was/is any other center in jeopardy of being treated this way and for what purpose?
6. Was there administrative oversight in the disbursement of any funds?
7. Finally, after seven years of neglect and no upkeep, from the start, was the plan for Waymer to fall into disrepair and then be demolished, because the expense of seven years of repairs would be too costly for the County to justify, when building a new center would be less expensive... never mind the significant cultural heritage attached to it.

A copy of a handout outlining Ms. Caldwell's remarks is on file with the Clerk to the Board.

Willie Gibson spoke in support of keeping the David B. Waymer Center and not demolishing it. Mr. Gibson commented on how the center and the activities that were available there, when he was growing up, helped shape him into the person he'd become.

Miguel Slaughter with the East Huntersville Community Revitalization Group and on behalf of the youth of east Huntersville, spoke in support of keeping the David B. Waymer Center and not demolishing it. He read a letter from a youth asking that the center not be demolished.

Verona Wynn spoke in support of keeping the David B. Waymer Center and not demolishing it. Ms. Wynn said it could again be used as a recreation site in the area.

Comments

County Manager Diorio thanked the speakers for their remarks.

County Manager Diorio said the assessment of the David B. Waymer Center was almost complete. She said upon its completion, staff would reach back out to schedule a meeting with all of the interested parties to see where things were and to try to strategize on some potential solutions.

Commissioner Puckett echoed that staff was working on this and that he had requested some additional information regarding this issue. He said a meeting would be scheduled with the interested parties, including representatives from the Town of Huntersville to discuss what has happened, what can happen and what will happen. He thanked the speakers for coming and sharing their concerns.

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Commissioner Leake said she knew Mr. Waymer and his family. Commissioner Leake said the David B. Waymer Center was a facility that represented the “heart of a community.” She thanked the speakers also for their remarks and their commitment to this issue.

Commissioner Cotham thanked the speakers for their remarks. Commissioner Cotham said although the focus was on the gymnasium, she felt something should be said about the condition of the old high school in the area. She said that it was an eyesore for the community and noted that it was once used by the Department of Corrections.

Commissioner Cotham said she hoped there was a way that the Center could be retained, because it was a part of the community’s history.

Commissioner Scarborough thanked the speakers for their remarks. Commissioner Scarborough encouraged the speakers and their community to stay involved.

Chairman Fuller thanked the speakers for their remarks. He said the Board heard their concerns and that a response would be received from the County.

APPOINTMENTS

15-2866 MECKLENBURG EMERGENCY MEDICAL SERVICES AGENCY BOARD OF COMMISSIONERS

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Paula Vincent to the Mecklenburg Emergency Medical Services Agency Board of Commissioners as a Novant Health representative as recommended by Novant Health, to fill the unexpired term of Tanya Blackmon, expiring December 31, 2016.

Note: In 1996, the Mecklenburg Board of County Commissioners created the Mecklenburg Emergency Medical Services Agency, per a Joint Undertaking Agreement between the County and the Charlotte-Mecklenburg Hospital Authority (CMHA), and includes participation by Presbyterian Health Services Corp. (now doing business as Novant Health Southern Piedmont Region, LLC). This Agreement, as amended and restated, establishes, pursuant to N.C. GS. 160A-462, a joint governmental agency known as the Mecklenburg Emergency Medical Services Agency. The primary purpose of the Agency was to contract with the County through a separate EMS Services Agreement to provide EMS services to Mecklenburg County and its residents. The Agency was authorized to do business under the name of "Medic." The

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Joint Undertaking Agreement, states the affairs of the Agency shall be governed by a seven member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows: a) Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; and

b) Three (3) persons shall be Presbyterian (Novant Health Southern Piedmont Region) employees nominated by the Presbyterian Chief Executive Officer; and c) One (1) person shall be a County employee nominated by the County Manager. Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner's successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.

Note: Commissioner Scarborough requested information on the race and gender of members of the Mecklenburg Emergency Medical Services Agency.

PUBLIC HEARINGS

15-2843 STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

A. Acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions; and

B. Open a Public Hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

No one from the public appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County's participation in the Street Lighting

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Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions and adopt the Final Assessment Resolution for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

Resolutions recorded in full in Minute Book _____, Document # _____, _____, _____, _____, _____, _____, and _____.

ADVISORY COMMITTEE REPORTS

15-2836 MECKLENBURG DOMESTIC VIOLENCE FATALITY PREVENTION AND PROTECTION REVIEW TEAM FIFTH ANNUAL REPORT

The Board received the annual report of the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team. The report was given by Helen Lipman with Community Support Services and Sarah Morton, Chairman of the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team.

Note: Per Session Law 2009 - 52 and Session Law 2013 - 70, the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team is charged with: studying the incidences and causes of death by domestic violence-related behavior in the community, making recommendations for system improvements and needed resources where gaps and deficiencies may exist, and reporting annually to the Mecklenburg Board of County Commissioners.

A copy of the report is on file with the Clerk to the Board.

Comments

Chairman Fuller asked had there been any progress over the last five years in reducing the incidences of domestic violence in the community. He asked was there any matrix to help keep track of this issue to determine if a difference was being made. *Ms. Lipman said in recognizing the need for a matrix, they've tried over the years to assemble some measurements about a number of things relating to the issue of domestic violence, which were placed on the website.*

Ms. Lipman said there were limitations, however, in light of the fact that domestic violence was not always reported. Ms. Lipman shared some statistics regarding the number and type of incidences that had occurred.

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Chairman Fuller asked about the connection between the committee's recommendations and those things getting done; and whether doing those things would or did reduce the number of incidences.

Chairman Fuller suggested that future reports from the committee indicate whether or not a recommendation was implemented and the result of that implementation.

Ms. Lipman noted recommendations that were made in prior years and implemented.

Ms. Morton shared observations from her work with victims, as a domestic violence advocate in the healthcare system that showed evidence of the committee's work in the lives of those she interacts with, especially as it related to being able to provide victims with services that at one time did not exist.

Commissioner James asked was there a chart available tracking the committee's work in this area over the last five years. Commissioner James said he would like to see a chart that showed the number and types of domestic violence incidences over a particular timespan.

Commissioner James questioned whether "progress" was being made. He said in his opinion an "effort" was being made and that "effort" had increased over time, but he didn't feel the "needle" was being moved, not in the "overall grand scheme" of things.

Commissioner James acknowledged there had been improvements and noted the recent change in state law as an example.

He commented on a portion of the report that indicated that four of the five murderers had a criminal history and that two of the five completed an intervention program but still committed murder.

Commissioner James said there were a lot of conflicting goals between the entities involved in addressing the issue of domestic violence. He said there was the goal of reducing domestic violence on the part of the committee, someone else's goal was to reduce the jail population; someone else's goal was to eliminate the number of unprosecuted crimes by working on plea bargains. He said all were working effectively to improve the system but with cross purposes.

Commissioner Dunlap questioned whether improvements were being made based on the reports received, which he said were based on reported incidences. Commissioner Dunlap said it was the unreported acts that caused him concern because the unreported number may be larger than what was being reported.

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Commissioner Dunlap asked if a counselor went out when a call was received by the police to inform the victim of what their options were. Commissioner Dunlap said that was a critical time. He asked at what point did intervention occur.

Ms. Lipman addressed the Lethality Assessment Protocol that was currently being followed. Ms. Lipman said it involved a series of questions being asked by the police of the victim and based on the responses, if it looked like a high risk situation, then the officer encouraged the victim at that point to reach out to resources at that very moment.

Ms. Lipman said it was her understanding that a counselor did not necessarily go out on the call the first time, but if there were repeated calls then they would.

Ms. Lipman said there was a long term projectory and a short term projectory in the community around this issue and that it was very hard to demonstrate the results either way. She said how you ultimately “move the needle” was when you “change the hearts and minds,” which had to do with public awareness.

She said if you’re successful in reducing the number of people who thought it was okay to engage in abusive behavior, then you reduce the number of people who were going to commit these crimes and you in turn increase the number of people who would call and report these acts. She said continued public awareness and giving people the tools to be effective “up standers” and not “by-standers” was the way to make change over the “long haul.” She said these efforts must be continuous.

Commissioner Cotham addressed the importance of the Committee’s work. She asked the Committee to consider addressing the “trauma” that victims were often left to deal with. She asked also that consideration be given to persons that may have a restraining order against someone that they’re not intimate with, but they’re nonetheless traumatized.

Commissioner Leake commented on the problem of violence and the availability of weapons in general. She said her hope was that the community would be more cognizant and pay attention to what and how we treat each other, verbally and non-verbally.

Commissioner Leake complimented the committee on the radio and television ad that was running regarding domestic violence awareness. She suggested the ad be ran continuously and not just during domestic violence awareness month.

Commissioner Ridenhour commented on the issue of persons being “by-standers” rather than “up standers.” He said in this day and time, it was a societal problem, where people felt certain things weren’t their business.

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Commissioner Ridenhour said it was unfortunate that people don't want to get involved in matters of this nature and other matters, where they may have witnessed an incident of some type, even traffic accidents. He asked what could be done to change this mindset.

Ms. Morton said unfortunately for some individuals, violence of this nature was normal. She said they've never been exposed to any other type of environment. She said awareness that violent behavior was not acceptable was important. She addressed the importance of recognizing the warning signs of domestic violence.

Chairman Fuller thanked the presenters for the report.

Note: The above is not inclusive of every comment but is a summary.

MANAGER'S REPORT

15-2844 ABOVE & BEYOND @ WORK

The Board recognized the latest Above & Beyond @ Work winner, Jeff Vernon with Code Enforcement.

Note: County Manager Diorio created the Above & Beyond @ Work Award to recognize deserving employees.

Mr. Vernon thanked the Board and the County Manager for this recognition. He acknowledged the support of those he worked with. He was accompanied at the meeting by his family.

15-2863 STATE BUDGET UPDATE

The Board received as information an update on the state budget and other legislative matters.

Brian Francis, Assistant to the County Manager gave the update. The following was noted regarding matters that were on the County's 2015 State Legislative Agenda:

- Ensure proper payment to MEDIC under assignment of benefits – Legislation was not needed as a result of an agreement being reached between Medic and the insurance provider that was paying insurees rather than Medic for services provided by Medic. The proposed legislation was to require the insurance provider to pay Medic directly, rather than relying on the insuree to pay Medic, which resulted in a lot of uncollected

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bills. Per Medic's negotiations with the insurance provider, Medic will now be paid directly by the provider.

- Change requirements regarding the deposit of small amounts of cash collections – This request did not move forward in the General Assembly, but the hope was that it would be addressed in the short session.
- Create a minimum amount (\$2-\$5) for which local governments are required to write checks – The County was successful with this legislative request, which resulted in the County not having to write checks for \$15 or less. Amounts \$15 or less would instead be credited to the taxpayer's account, unless the taxpayer request that it not be credited and instead sent to them.
- Create an additional aggravating factor for violent crimes knowingly committed in the presence of minors and broaden the definition of "presence" to include "sight and sound" for misdemeanors - The County was successful with this legislative request.
- Restore funding to Charlotte Mecklenburg Library and oppose additional efforts to target urban counties when making funding decisions - The County was successful with this legislative request.

The following other matters were noted and elaborated on:

House Bill 168 that dealt with Builder Inventory Exemption

Senate Bill 159 that dealt with Revaluation

House Bill 255 that dealt with Code Enforcement

House Bill 117 that dealt with Economic Development

Sales Tax Redistribution

Compensation for state employees

Medical Examiner Fees

Child Support Enforcement

Air Quality Program Funding

Foster Care and Adoption Assistance

Comments

Chairman Fuller commented on the sales tax redistribution issue.

Commissioner Dunlap commented on the issue relating to airline fuel no longer being taxed.

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Commissioner Clarke inquired about employees in the criminal justice system and in Charlotte-Mecklenburg Schools (CMS) who were state employees but paid with local dollars. He asked had the County been asked to provide those employees with the \$750 bonus that was placed in the state budget for state employees. *County Manager Diorio said she'd only been approached by CMS. County Manager Diorio said staff was working on this matter and would bring forth a proposal to the Board at a future meeting.*

Commissioner Clarke asked about the cost to provide this bonus to locally paid CMS employees. *County Manager Diorio said it was probably in excess of \$2 million, but staff would verify that number.*

Commissioner Leake asked about teacher pay, specifically those with longevity, who she said received no increase in pay. She asked if there were plans on the part of the General Assembly to do something different next year. *Assistant to the County Manager Francis said he was in a position to answer that question.*

This concluded the discussion.

Chairman Fuller thanked Assistant to the County Manager Francis for the update.

15-2867

BREAST CANCER SCREENING AWARENESS CAMPAIGN

The Board received information on the County's Breast Cancer Screening Awareness Campaign that includes radio ads, as well as printed materials.

Dr. Marcus Plescia, MD, Health Director addressed this matter.

Note: Breast cancer is the second leading cause of cancer death in women, with the first cause being lung cancer. October is breast cancer awareness month.

Commissioner Leake complimented Dr. Plescia and his staff for the outreach efforts being made in the areas of the community that "need it the most."

Chairman Fuller thanked Dr. Plescia for the update, as well.

OTHER

C.W. WILLIAMS COMMUNITY HEALTH CENTER

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Commissioner Leake asked when the Board would receive an update on C.W. Williams Community Health Center. *County Manager Diorio said staff would provide a report on C.W. Williams Health Center at the October 20, 2015 meeting.*

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

15-2818 PARK AND RECREATION MASTER PLAN UPDATE

The Board received an update on the Park and Recreation Master Plan.

Jim Garges, Director of Park and Recreation presented the plan.

A copy of the report is on file with the Clerk to the Board.

Comments

Chairman Fuller and other Commissioners expressed thanks to Director Garges and his staff for the work that they do.

Commissioner Dunlap said he was supportive of the Plan but questioned Park and Recreation's philosophy around having more opportunity in different neighborhoods for people to enjoy parks. Commissioner Dunlap said the problem in many of the parks was that there were not a lot of amenities in them and that additions to the parks were phased in over a period of time. He noted Eastway Park as an example of a park that was started a number of years ago, but still not fully developed. He said yet, Park and Recreation in a lesser amount of time had developed and built out other parks, such as Romare Bearden and soon to be completed First Ward Park.

Commissioner Dunlap said this was upsetting to residents who have been waiting a long time for their park to be completed.

Commissioner Dunlap said his position was that if a park was started, it should be completed and then move on to the next park project, rather than, starting lots of parks and putting only a few things in them.

Commissioner Dunlap said this was a major concern of residents in District Three and that he was expressing opposition on their behalf to Park and Recreation's philosophy of starting parks and waiting five to ten years to complete them.

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Commissioner Leake said she, too, had heard the concern expressed by Commissioner Dunlap.

Commissioner Leake noted the Thereasea Elder Park as an example of a park that was in need of more amenities.

This concluded the discussion.

Chairman Fuller thanked Director Garges for his report.

Note: The above is not inclusive of every comment but was a summary.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to endorse the findings and recommendations of the Park and Recreation Master Plan Update.

15-2822

**JUVENILE CRIME PREVENTION COUNCIL (JCPC) FY16 FUNDING
ALLOCATION PLAN FOR MENTORING PROGRAMS**

Darrell Gregory, JCPC Chairperson and Carol Hickey, Interim Director, Criminal Justice Services presented the Juvenile Crime Prevention Council FY16 Funding Allocation Plan for Mentoring Programs.

Note: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) is a statutorily authorized advisory board charged with: reviewing the needs of juveniles who commit delinquent acts or are at-risk of becoming court-involved, assessing local service needs, and presenting an annual service proposal to the Board of County Commissioners. The JCPC's mission is to address gaps in youth services by promoting prevention, intervention, treatment, and aftercare strategies and programs that strengthen families and support community safety.

On April 21, 2015, the Mecklenburg Board of County Commissioners approved the FY16 funding allocation plan for \$1,187,277 of the total \$1,387,620 in FY16 JCPC funding. To allocate the remaining \$200,343 in funding, the JCPC issued a second Request for Proposals (RFP) on June 1, 2015 for mentoring programs targeting delinquent or gang-involved youth (ages 6-17), undisciplined youth, or those youth at highest risk of juvenile court involvement. Eleven applicants submitted proposals by the deadline of July 1, 2015. At the August 20, 2015 meeting, the JCPC recommended two applicants for FY16 funding for mentoring programs.

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Below is the FY16 funding allocation plan for mentoring programs as recommended by the JCPC:

Agency: Empowerment and Development Exchange, Inc. (Program Name: Generations Empowered to Model Success (GEMS) Mentoring Program) - \$134,760

Agency: International Association of Applied Control Theory (IAACT) (Program Name: DASH Youth Connections Program) - \$65,583

The following persons appeared to speak in opposition to the JCPC recommendation for FY16 Funding Allocation Plan for Mentoring Programs: Julian Rance, Johnathan Womack, and Darryl Bego with Youth Development Initiatives (YDI).

Note: YDI was not successful in receiving funding through the JCPC.

The speakers alleged that the JCPC “operated contrary to its own RFP guidelines and practices, it blatantly ignored the state JCPC policies and procedures. Consequently, we believe these facts invalidate the funding recommendations the JCPC is presenting.”

They asked that the Board defer consideration of the JCPC FY16 Funding Allocation Plan until “YDI and the other four applicants who submitted complete RFP applications be given the opportunity to present before the JCPC for full and fair funding consideration.”

A copy of a handout from the speakers is on file with the Clerk to the Board.

Comments

Chairman Fuller asked about the criteria for making a presentation before the JCPC, which was addressed. *Mr. Gregory said everyone was not allowed to present. He said there was a minimum threshold requirement score of 70. He said if an applicant scored 70 or more they were invited to present their request to the JCPC. Applicants scoring less than 70 were not invited to make a presentation.*

Mr. Gregory said all of their meetings were open to the public and therefore applicants should have been aware of the criteria. He said applicants were encouraged to attend meetings of the JCPC.

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Commissioner Dunlap said this same concern was received last year and that it was from YDI.

Commissioner Dunlap said last year the Board asked that the matter be looked into to see if there were any violations and it was determined that there were none.

Commissioner Dunlap asked how relevant the scorecard was once the JCPC received the score. *Mr. Gregory said applicants were aware of their score and how each member of the funding subcommittee scored them, because it was discussed publicly.*

Mr. Gregory said the JCPC had not had the opportunity to discuss amending its by-laws to reflect the recommendations of the state Department of Public Safety (DPS), but that he had appointed a by-laws subcommittee. DPS recommended procedures for record retention of tools utilized to arrive at funding decisions (scoring rubrics) be put in place.

Commissioner Dunlap asked about the JCPC vote on what was being presented to the Board for approval. *The response was that the vote for Empowerment and Development Exchange, Inc. Generations Empowered to Model Success (GEMS) Mentoring Program was 11-1 in favor and the vote for the International Association of Applied Control Theory (IAACT) DASH Youth Connections Program was 9-3 in favor.*

Commissioner Dunlap asked was it correct that the JCPC was not obligated to abide by the recommendation of the funding subcommittee. *Mr. Gregory said that was correct.*

Commissioner James asked was there a difference between what the funding subcommittee recommended and what was approved by the JCPC. *Mr. Gregory said yes.*

Commissioner James asked about the forms that the speakers referenced in their remarks. *Mr. Gregory said the JCPC received a recommendation from DPS that procedures for record retention of tools utilized to arrive at funding decisions (scoring rubrics) be put in place, however, at the time when these decisions were made and to date, nothing had been established, and in addition it would require an amendment to the JCPC by-laws. He said once the by-laws were amended, then those records would be available because they would be public record.*

Mr. Gregory said the information used by the funding committee was not maintained and therefore not available to provide to YDI.

Mr. Gregory said if action was not taken with respect to the allocation plan, there was a strong possibility those funds would have to be returned to the state.

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Commissioner James asked about the flaws of those applicants that didn't make a score of 70, which was addressed. *Note: The names of those agencies were not disclosed, since they were not present.*

Commissioner James asked about YDI's score. *The response was 67.75.*

Commissioner James said it would be good to have the by-laws amended by this time next year, which would address some of these issues.

Commissioner Cotham said it appeared to her that there were some "trust issues" with respect to this matter.

Commissioner Cotham questioned whether the threshold should be 70 and whether all applicants should be heard.

Commissioner Leake asked if the JCPC followed its process and procedures. *The response was yes.*

Commissioner Leake asked if applicants received information regarding the application process. *The response was yes.*

Commissioner Leake asked if YDI had programs in other communities. *The response was yes.*

Commissioner Leake asked had YDI received funding from the County via the JCPC in the past. *The response was yes.*

Commissioner Leake asked if YDI used Mecklenburg County funds in other communities. *Mr. Gregory said not to his knowledge.*

Commissioner Leake asked Mr. Gregory to inform and share with the Board any future changes to the JCPC by-laws and program guidelines. Also, that the JCPC share that information with interested parties.

This concluded the discussion.

Note: The above is not inclusive of every comment but is a summary.

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Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

1. Recognize and appropriate FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$200,343 for mentoring programs for the grant period; and
2. Approve FY16 funding allocation plan for mentoring programs recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

Note The FY16 funding allocation plan for mentoring programs as recommended by the JCPC:

Agency: Empowerment and Development Exchange, Inc. (Program Name: Generations Empowered to Model Success (GEMS) Mentoring Program) - \$134,760

Agency: International Association of Applied Control Theory (IAACT) (Program Name: DASH Youth Connections Program) - \$65,583

Commissioner Ridenhour left the dais and was absent for the remainder of the meeting.

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to approve the following item(s):

15-2810 EQUIPMENT LEASE -- PITNEY BOWES POSTAGE EQUIPMENT

Authorize the County Manager to negotiate and execute a five-year lease for postal equipment with Pitney Bowes.

15-2831 REVISIONS TO BUILDING DEVELOPMENT ORDINANCE (SECOND READING)

Amend the Building-Development Ordinance regarding Building Development Commission (BDC) membership.

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**Amendment to the Mecklenburg County
Building-Development Ordinance**

Section 1: The Mecklenburg County Building-Development Ordinance as adopted on February 29, 1996 is hereby amended as follows:

Section 107 Charlotte-Mecklenburg Building-Development Commission

107.1.1(A) Membership

Delete the following text:

The BDC shall consist of one representative recommended by each of the following organizations and appointed by the Board.

Insert the following text:

Unless noted otherwise, the BDC shall consist of one representative recommended by each of the following organizations and appointed by the Board.

Delete the following text:

- *Charlotte Chamber of Commerce (Development Industry)*
- *Charlotte Heating and Air Conditioning Contractors Association*
- *Charlotte Plumbing, Heating, Cooling Contractors Association*
- *Mecklenburg General Contractors Association*

Insert the following text:

- *Charlotte Chamber of Commerce; 2 persons*
 - *One person representing the development Industry*
 - *One person representing small business, from a business with 24 employees or less*
- *Charlotte Plumbing, Heating, Cooling Contractors Association; 2 persons*
 - *One person from a business primarily involved in mechanical/HVAC trade work.*
 - *One person from a business primarily involved in plumbing trade work.*
- *Associated Builder and Contractors (ABC) Carolina Chapter; represented by a person employed by a firm with an NC General Contractor's license and primarily involved in general construction.*

107.1.4 Rules and Procedures

Delete the following text:

A. *"Seven (7) members of the BDC shall constitute a quorum".....*

Insert the following text:

A. *"A majority of the number of members on the BDC shall constitute a quorum".....*

Section 2: All other sections of the Ordinance remain in full force and effect.

Section 3: This amendment to be effective immediately upon approval by the Board of County Commissioners

Ordinance recorded in full in Minute Book _____, Document # _____.

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15-2834

MINUTES

Approve Minutes of Regular meeting held September 15, 2015 and Closed Session held September 15, 2015.

15-2846

FOREST LAND AGREEMENT

Approve "Agreement for the Protection, Development and Improvement of Forest Land In Mecklenburg County."

Note: This a renewal of a one-year agreement funding the maintenance of a Mecklenburg County office of the North Carolina Forest Service with duties and responsibilities as specified in the agreement. The office is funded 40% by the County and 60% by the State.

Agreement recorded in full in Minute Book _____, Document # _____.

15-2848

EASEMENT CONVEYANCE -- GUGV POPLAR CHARLOTTE PROPERTY OWNING LP

1) Authorize the County Manager to negotiate and execute a temporary Tower Crane Agreement with GUGV Poplar Charlotte Property Owning LP for use of the air rights above a portion of Romare Bearden Park (Tax parcels 073- 022-04 and 073-023-01).

2) Recognize and receive \$5,000 from GUGV Poplar Charlotte Property Owning LP as compensation for the temporary use of air rights above County owned tax parcels 073-022-04 and 073-023-01 and appropriate that amount to the capital reserve for real estate acquisition costs.

Note: GUGV Poplar Charlotte Property Owning LP is developing a 300 unit multi-family building at 225 South Poplar Street across from Romare Bearden Park in uptown Charlotte. The project is anticipated to be completed in the summer of 2017. To construct the multi-story building, GUGV Poplar Charlotte Property Owning LP is requesting a temporary Tower Crane Agreement from the County. The Tower Crane Agreement would give GUGV Poplar Charlotte Property Owning LP the ability to swing the rotating boom of the crane into the air space above a portion of Romare Bearden Park.

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15-2850

LAND DISPOSITION -- WESTMORELAND REGIONAL PARK

Adopt a resolution of intent to dispose of a 3,765 square foot portion of County owned Tax Parcel 005-071-12 for \$10,800 to Westmoreland Lake, LLC.

*MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION*

*DECLARING INTENT TO SELL A PORTION OF TAX PARCEL
005-071-12 AT 17702 WEST CATAWBA AVENUE IN CORNELIUS*

WHEREAS, the County owns Tax Parcel 005-071-12 at 17702 West Catawba Avenue in Cornelius (hereinafter referred to as the "County Parcel"), which County Parcel is leased to the Town of Cornelius for a park; and

WHEREAS, Westmoreland Lake, LLC desires to obtain a portion of the County Parcel to assist with the construction of storm drainage infrastructure for the Preserve at Robbins Park, a single family residential neighborhood located adjacent to the park property, and has offered to pay \$10,800 for a 3,765 square feet portion of the County Parcel ("Storm Drainage Area"), which amount was determined by a recent appraisal; and

WHEREAS, the County has determined that the Storm Drainage Area, the area needed by Westmoreland Lake, LLC, is not needed to access, maintain or enjoy any portion of Westmoreland Regional Park, and the Town of Cornelius has approved the County's sale of the Storm Drainage Area by waiving its right of first refusal contained in its lease; and

WHEREAS, Mecklenburg County Park and Recreation has determined that this land is not needed for future park and recreation purposes.

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion \$10,800 is fair consideration for the Storm Drainage Area; and

WHEREAS, pursuant to G.S. 160A-269, the Board of County Commissioners is authorized to dispose of real property owned by the County; and

WHEREAS, pursuant to G.S. 160A-269, the Board proposes to accept the offer of Westmoreland Lake, LLC to purchase the Storm Drainage Area, and to follow the statutory procedure which requires that the County advertise for upset bids; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners proposes to accept the \$10,800 offer of Westmoreland Lake, LLC to purchase the Storm Drainage Area, and directs the Clerk to the Board to publish the attached Notice of intent to sell.

Resolution recorded in full in Minute Book _____, Document # _____.

15-2851

**CAPITAL RESERVE EXPENDITURE -- MCDOWELL NATURE PRESERVE
(PARK AND RECREATION)**

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Authorize expenditure of up to \$15,337 from the McDowell Park Capital Reserve Fund for the purchase of a Kubota RTV-X900W utility vehicle.

15-2854 COOK REGIONAL PARK -- AGRICULTURAL LEASE

Adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to Cookson Limited Partnership RLLLP."

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO LEASE PROPERTY
TO COOKSON LIMITED PARTNERSHIP RLLLP**

WHEREAS, Mecklenburg County is the owner of property, Tax Parcels 009-041-03A and 009-041-05A, located at Ervin Cook Road, Huntersville, NC, which was purchased for a future Regional Park; and

WHEREAS, Cookson Limited Partnership RLLLP, wishes to lease and maintain +/-147.07 acres of the property of which +/- 90.72 acres will be used for agricultural purposes; and

WHEREAS, the County and Cookson Limited Partnership RLLLP are in agreement with the following proposed business terms:

Location – Portions of Tax Parcels 009-041-03A and 009-041-05A located at Ervin Cook Road, Huntersville, NC

Lease Term - Five (5) years

Total Acreage Leased - +/- 147.07 acres

Total Acreage To Be Used for Agriculture - +/- 90.72 acres

Lease Rate - \$65.00 per acre of agricultural area (+/- 90.72 acres) per year

Annual Lease Revenue – \$5,896.80

Use of the Property - The property will be used for agriculture purposes only and the Tenant will employ

Best Management Practices in accordance with the conservation plan established by the Natural Resources Conservation Service.

Maintenance - The Tenant will be responsible for daily and routine maintenance for the entire property (i.e., not just for the acreage used for agriculture).

Insurance - Tenant shall be responsible for insuring Lessee's personal property on the leased property. Tenant shall be responsible for insuring the Property with a General Liability limit not less than \$1,000,000 per occurrence/aggregate including coverage for bodily injury, property damage, products and completed operations, personal/advertising injury liability and contractual liability. Mecklenburg County shall be listed as an additional insured.

WHEREAS, the County's Park and Recreation and Asset and Facility Management Departments have determined that the property that Cookson Limited Partnership RLLLP desires to lease will not be needed by the

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County during the term of the lease; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by Cookson Limited Partnership RLLLP now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a lease arrangement with Cookson Limited Partnership as described above, and directs the Clerk of the Board to publish a notice of the Board's intent to approve the lease arrangement with Cookson Limited Partnership at the Board's November 17th, 2015 meeting as required by law.

Resolution recorded in full in Minute Book _____, Document # _____.

15-2856 INTERLOCAL COOPERATION AGREEMENT -- CROSS CHARLOTTE TRAIL

Adopt a resolution authorizing the County to enter into an "Interlocal Cooperation Agreement - Cross Charlotte Trail" between the County and the City of Charlotte for the development, maintenance, operation and programming of the Cross Charlotte Trail.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE
INTERLOCAL COOPERATION AGREEMENT -
CROSS CHARLOTTE TRAIL BETWEEN THE COUNTY AND THE CITY**

WHEREAS, Mecklenburg County and the City of Charlotte have been in discussions about the development, maintenance, operation, and programming of the Cross Charlotte Trail ("Trail") that once built will include 26 miles of continuous greenway and multi-use trail that will stretch from the Cabarrus County line to the Town of Pineville; and

WHEREAS, the County and City have negotiated the "Interlocal Cooperation Agreement – Cross Charlotte Trail" which establishes the Trail as a jointly sponsored project between the County and the City, including provisions for the acquisition of real estate in support of the project, development of the trail, routine and capital maintenance and repair of the trail, and operations and programming for the trail; and

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings; and

WHEREAS, pursuant to the provisions of Article 20 of Chapter 160A, the County and the City wish to enter into the Interlocal Cooperation Agreement – Cross Charlotte Trail, an interlocal cooperation agreement, a copy of

which has been provided to the Board of Commissioners, to specify terms development, maintenance, operations, and programming by Mecklenburg County and the City of Charlotte; now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Interlocal Agreement – Cross Charlotte

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Trail as provided to the Board is hereby approved, and the County Manager is hereby authorized to execute such interlocal agreement in substantially the form provide to the Board, and that this Resolution shall be spread upon the minutes.

Resolution recorded in full in Minute Book _____, Document # _____.

15-2857 PROPERTY INTEREST EXCHANGE -- RURAL HILL NATURE PRESERVE

Adopt a resolution authorizing exchange of a lease on a portion of County owned Tax Parcel 013-041-01 (+/- 2.25 acres) for a 20' wide access easement across Tax Parcel 013-181-04 owned by Lewis Atkins Parks Heirs.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION**

AUTHORIZING EXCHANGE OF A LEASE ON A PORTION OF TAX PARCEL 013-041-01 ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE FOR AN ACCESS EASEMENT ON TAX PARCEL 013-181-04 ALSO ALONG NECK ROAD IN THE EXTRA-TERRITORIAL JURISDICTION OF HUNTERSVILLE

WHEREAS, the County owns Tax Parcel 013-041-01 along Neck Road in the Extra-territorial jurisdiction of Huntersville (hereinafter referred to as the "County Parcel") which is a portion of the County's Cowan's Ford Wildlife Refuge; and

WHEREAS, the County is also owner of the Rural Hill Nature Preserve located along either side of Neck Road in the ETJ of Huntersville; and

WHEREAS, the County is in the process of developing a strategy to remove loblolly pine trees, which are an invasive species to the Rural Hill Nature Preserve, and to restore the property with trees native to this area of North Carolina; and

WHEREAS, the portion of Rural Hill Nature Preserve to be restored is separated from the bulk of the nature preserve by a tributary of McDowell Creek and is bordered by Mountain Island Lake on three sides; and

WHEREAS, the County needs to secure a long term accessible route to and from this portion of the nature preserve to implement activities associated with restoring and maintaining the nature preserve and has determined that the most feasible and desirable route to and from the property is across Tax Parcel 013-181-04 which is owned by the Lewis Atkins Parks Heirs ("Parks Heirs"); and

WHEREAS, the Parks Heirs desire to lease +/- 2.25 acres of the County Parcel to graze farm animals and mow from time to time; and

WHEREAS, the County and the Park Heirs have agreed to exchange a five (5) year access easement across the Parks Heirs property in favor of the County for a five (5) year lease of the County Parcel in favor of the Parks Heirs; and

WHEREAS, the Mecklenburg County Park and Recreation and Asset and Facility Management Departments have determined that in its opinions the County will receive full and fair consideration for the property interests to be exchanged; and

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WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, on September 15, 2015 the Board approved a resolution stating its intent to authorize the exchange of a lease on the County Parcel for an access easement on the Parks Heirs property and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer as required by law; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of a lease on the County Parcel for an access easement on the Parks Heirs property, authorizes the County Manager to negotiate and execute a contract for the exchange, and authorizes and directs the County Manager to execute the deed and any other documents necessary to effectuate the exchange

Resolution recorded in full in Minute Book _____, Document # _____.

15-2858 TAX REFUNDS

Approve refunds in the amount of \$5,919.03 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

A list of the refund recipients is on file with the Clerk to the Board.

15-2861 CAPITAL PROJECT ORDINANCES -- PARK AND RECREATION

1) Adopt FY2016 Park and Recreation - Flat Branch Nature Preserve Capital Project Ordinance

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 6th DAY OF October 2015:

Section I. *That for the purpose of providing additional funds and reallocating funds together with any other available funds for the Flat Branch Nature Preserve capital project including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$305,500 is hereby appropriated.*

Section II. *That it is estimated that the following revenues will be available during the construction period to*

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meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2015-2016 fiscal year \$305,500

Section III. That the total amount available for the Flat Branch nature Preserve capital project, including the appropriation of \$305,500 referenced in Section I is \$1,025,500. Additional funding for this project has been appropriated in the FY2014 AUTHORIZATION PARK AND RECREATION APPROVED IN NOVEMBER 4, 2008 REFERENDUM CAPITAL PROJECT ORDINANCE (\$400,000) and the FY2016 PARK AND RECREATION – PROJECT BUDGET ADJUSTMENT CAPITAL PROJECT ORDINANCE (\$320,000).

Ordinance recorded in full in Minute Book _____, Document # _____.

**2) Adopt FY2016 Park and Recreation - Toby Creek Greenway Capital Project Ordinance
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY,
NORTH CAROLINA, THIS THE 6th DAY OF October 2015:**

Section I. That for the purpose of providing additional funds and reallocating funds together with any other available funds for the Toby Creek Greenway capital project including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$768,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

2015-2016 fiscal year \$768,000

Section III. That the total amount available for the Toby Creek Greenway capital project, including the appropriation of \$768,000 referenced in Section I is \$3,278,000. Additional funding for this project has been appropriated from Federal and State funding – Congestion Mitigation and Air Quality funds (\$2,148,000), City of Charlotte funding (\$262,000) and Carolina Thread Trail funding (\$100,000).

Ordinance recorded in full in Minute Book _____, Document # _____ .

**15-2889 NEW ITEM - FY15-16 NCDOT RURAL OPERATING ASSISTANCE PROGRAM
(ROAP) GRANT APPLICATION**

1) Adopt a Certified Statement for the Mecklenburg County Department of Social Services to submit an application for the NC Department of Transportation's (NCDOT) Rural Operating Assistance Program (ROAP) Grant for Fiscal Year 2015-2016

2) Amend grant program budgets to reflect the decrease of \$163,569 in State funding

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Note: Annually, the Mecklenburg County Department of Social Services submits a Rural Operating Assistance Program (ROAP) grant application. This NCDOT grant provides funding for transportation services to elderly and disabled citizens, Work First clients requiring transitional/employment transportation services, and the general public living outside the urban area boundary not the metropolitan boundary of Mecklenburg County and do not have a human service agency or organization paying for their transportation. The Mecklenburg Transportation System (MTS) of DSS' Services for Adults Division operates this program.

Certified Statement recorded in full in Minute Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2841 BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to:

1) Recognize and appropriate \$137,699 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as, supplies and equipment to support the programs.

2) Recognize and appropriate \$62,479 from Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more public awareness.

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Commissioner Leake requested information on the specific purchases to be made with these funds.

**15-2845 REGISTER OF DEEDS ENHANCEMENT/PRESERVATION SPECIAL
REVENUE FUND**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, recognize and appropriate \$900,000 in Fee Revenue in the Register of Deeds Enhancement/Preservation Special Revenue Fund for imaging, preservation, and technology needs.

Commissioner Leake removed this item from Consent for more public awareness. She also inquired as to whether the Register of Deeds Office had experienced any issues with issuing marriage licenses. *Register of Deeds David Granberry said no.*

**15-2847 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN
ACQUISITIONS**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to accept the Offer of Sale of Real Estate from Richard and Linda Dunn, owners of property at 4841 Stafford Circle (Tax Parcel 163-083-13), for \$470,000 and authorize

the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: These acquisitions were being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

Commissioner Leake removed this item from Consent for more public awareness.

**15-2855 KNIGHT FOUNDATION GRANT APPLICATION: MAKING DATA WORK
FOR INDIVIDUALS AND COMMUNITIES**

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Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to approve submission of a grant application to the Knight Foundation to use data as a catalyst to solve homelessness and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Leake requested additional information on how this grant would enhance individuals and the community.

15-2849 CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and

carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #123-062-10 (± .172 acres) from Betty R. and Erman J. Evans, Jr. in the City of Charlotte for a purchase price of \$360,000.

Note: The property will be incorporated into the adjacent Wilmore Centennial Park at South End.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:46 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 20, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham,
George Dunlap, Bill James, Vilma D. Leake,
Jim Puckett, Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2791, 15-2860, 15-2869, 15-2882, 15-2885, and 15-2896 to be removed from Consent and voted upon separately.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 15-2885 Proclamation-Domestic Violence Awareness Month from the Consent section of the agenda to the Awards/Recognition section.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 15-2896 Proclamation-2015 Apprenticeship Week from the Consent section of the agenda to the Awards/Recognition section.

STAFF BRIEFINGS

15-2899 GREENWAY ACQUISITION PROCESS

The Board received information on a new greenway acquisition process.

Jacqueline McNeil with Asset and Facility Management presented the process.

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It was noted that currently, all acquisitions for park, greenway, nature preserve and open space purposes are presented in closed session during the Board's 5:00 pm session. The County Manager proposes placing greenway acquisitions (fee simple and easement) for small strips of land with a purchase price of \$30,000 and under, and a purchase price at, or below appraised value, on the BOCC's consent agenda instead of presenting those items in closed session as they are done now.

The criteria that would be used to determine greenway properties that would go on the consent agenda is as follows:

1. Parcels that are along adopted corridors in the County's Greenway Master Plan
2. Purchase price is at or below appraised value

Agenda items will continue to provide the following information:

1. Purchase price
2. Current ownership information
3. Location of the property
4. Justification for purchase/Correlation to *Master Plan*
5. Information about an associated capital project, if available
6. Map showing property

All acquisitions for other park categories and those greenway acquisitions that have a purchase price above \$30,000 or that are above the appraised value will continue to be heard in closed session.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the new Process for Greenway Acquisitions with Purchase Price of \$30,000 and under, as recommended by the County Manager.

CLOSED SESSION

15-2868 LAND ACQUISITION
15-2875 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel 089-022-10 and Tax Parcel 107-181-10.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:27 p.m.

Commissioner Dunlap entered the meeting.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

15-2885 PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring October 2015 as Domestic Violence Awareness Month in Charlotte/Mecklenburg County.

The proclamation was read by Commissioner Leake.

Mike Sexton with Community Support Services addressed Domestic Violence Awareness Month. He was joined at the podium by volunteers from the Domestic Violence Speakers Bureau, a partnership between Mecklenburg County Community Support Services and Safe Alliance.

PROCLAMATION

City of Charlotte/Mecklenburg County

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and affects over four million Americans each year; and

WHEREAS, one in three Americans have witnessed an incident of domestic violence; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police, court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn about preventing domestic violence, and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims, as well as help raise the banner in an effort to extend a life line to victims:

NOW, THEREFORE, WE, Daniel G. Clodfelter, Mayor of Charlotte, and Trevor M. Fuller, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim, October 2015 as

“DOMESTIC VIOLENCE AWARENESS MONTH”

in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.



Daniel G. Clodfelter, Mayor
City of Charlotte





Trevor M. Fuller, Chairman
Mecklenburg Board of
County Commissioners



15-2896 PROCLAMATION – 2015 APPRENTICESHIP WEEK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,

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Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating the week of November 2 - 6, 2015 as Apprenticeship Week in Mecklenburg County.

The proclamation was read by Chairman Fuller.

Peter Zeiler, Director of Economic Development addressed Apprenticeship Week.



PUBLIC APPEARANCE

15-2873 PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the agenda:

Nasif Majeed, president of Plaza Eastway Partners, Inc. and Janie Sumpter expressed concerns regarding the delay in the completion of Eastway Regional Park.

A copy of a handout from Ms. Sumpter is on file with the Clerk to the Board.

Chairman Fuller asked that staff provide the Board with a report on the status of Eastway Regional Park and any other parks that fall into this category.

Commissioner Dunlap noted a meeting of the community neighbors that would be held on Wednesday, October 21, 2015 at the Eastway Regional Park at 3:00 p.m.

APPOINTMENTS

15-2895 NOMINATIONS/APPOINTMENTS

Adult Care Home Community Advisory Committee

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Charlene Barr and Andrew Friend to the Adult Care Home Advisory Committee for three-year terms, expiring October 31, 2018 and to nominate and appoint Ms. Kelly Alexander for a one-year term, expiring October 31, 2016.

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Note: Ms. Alexander replaces Camelia Bittle.

Information Services & Technology Committee

Motion was made by Commissioner Ridenhour, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint David Hill to the Information Services and Technology Committee to fill an unexpired term expiring February 28, 2016 and Lance Munger to fill an unexpired term expiring February 28, 2018.

Note: They replace Amit Ginotra who resigned because of increased job responsibilities and Jeff Beebe, who resigned because he no longer wished to serve having served since 2010.

Storm Water Advisory Committee

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Richard Saltrick to the Storm Water Advisory Committee as a residential neighborhood representative, to fill an unexpired term expiring June 30, 2016.

Note: He replaces Cathleen Gallagher who failed to meet the attendance requirement.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

15-2852 PROCEDURE FOR PROPERTY DISPOSITION

The Board received information on the process for disposition of Second Ward parcels (the Robert L. Walton Plaza and the Education Center/Marshall Park properties).

Dennis LaCaria, Sr. Assistant to the County Manager presented this matter to the Board.

Note: The declaration of surplus property and disposition of same must be approved by the Board of County Commissioners per state statute. The Second Ward parcels, including Walton Plaza, Marshall Park and the former Board of Education Building will be proposed for redevelopment in accordance with the Brooklyn Village Interlocal Agreement.

The following was covered: Brooklyn Village Parcels, Guiding Principles, Levels of Interest, Process Overview, Phase I, and Phase II.

A copy of the presentation is on file with the Clerk to the Board.

Comments

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Commissioner Ridenhour asked about the Board's involvement in the visioning for this area and its input into what the proposal would look like. Commissioner Ridenhour said because of the location of this area, the County had "one shot to get this right." He said the development of the area would have ripple effects for decades.

Commissioner Ridenhour said the vision for the area should be larger than just another apartment building. Commissioner Ridenhour said the County shouldn't just want to see what developers wanted.

Mr. LaCaria said he understood Commissioner Ridenhour's concern and was in agreement. He said the Request for Proposal (RFP) was in the process of being developed by staff. He said the purpose of the Request for Qualifications (RFQ) was to cast the net to see what kind of vision was out there. He said previous plan documents for the area would be respected and would be used to inform the vision, but it was not what the County was exactly looking to see. He said the desire was to see multi-use, retail, commercial, etc.

Commissioner Leake commented on a possible vision for the area. She noted that years ago there was discussion around building a high school on the Education Center site and naming it Second Ward. Commissioner Leake encouraged staff to consider that.

Commissioner Leake said there was also discussion at one time around having affordable housing located on the Robert L. Walton Plaza site.

Commissioner Leake shared other historical facts about the area.

Commissioner Dunlap asked what the County was doing differently this time with respect to soliciting developers. He noted how a prior developer backed out. He asked would there be a request for earnest money.

Mr. LaCaria said the County would seek absolute and certain assurances from its development partner.

Commissioner Dunlap said as a follow up to Commissioner Leake's comments about the history of the area that commitments were made for Brooklyn Village, such as the renaming of some streets and putting some streets back that use to exist. Commissioner Dunlap asked was that a part of the plan or was it a "free for all, you give us your plan and we forget all that was envisioned before." *Mr. LaCaria said that was not the plan. He said anyone who submitted a plan should be respectful of prior planning exercises.*

Commissioner Dunlap said a hotel on the Robert L. Walton Plaza site was also discussed at one time. He asked had that idea been given up on. *Mr. LaCaria said staff was not prescribing any particular uses anywhere. He said it was possible there could be more than one hotel in the area.*

Commissioner Dunlap asked would Commissioners be a part of the interview panel for the RFP process. *Mr. LaCaria said yes.*

Commissioner Clarke said the timeframe for getting this accomplished was "tight." He said the cost of borrowing currently was very low, therefore the County needed to move quickly.

Commissioner Puckett said it would be good to have these properties back on the tax rolls.

Commissioner James said he was interested in knowing the following: 1) the amount of money that had been invested into this property since acquiring it, including the carrying cost, 2) what it was going to cost to develop the property and how much money the County would in turn

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make off of the property, and 3) how the new proposals compared to the old proposals in terms of concentration of office and residential, as well as, other components.

Chairman Fuller said this was “really an important piece of land.” He said this was more than just another business deal. He said history was an important part of this process.

Chairman Fuller said any new proposal should be consistent with prior plans, commitments, and conversations with respect to this property. He said there needed to be some form of recognition in the development of the property that acknowledged the history of Brooklyn.

Chairman Fuller said Brooklyn was a unique neighborhood comprised of African Americans of different economic standing. He said it was a middle class, working class neighborhood that “meant something to people.” He said as a result of urban revitalization, the area was “leveled quickly,” resulting in the lost of homes, churches, businesses, etc.

Chairman Fuller said it was important to have affordable housing developed in this area.

Commissioner Scarborough said some of the people who lived in Brooklyn should be at the table to help design this area.

Commissioner Scarborough said “we can’t just tear it down and build what we want and let people just come in and build what they want to,” because “there is history behind this.”

This concluded the discussion. The above is not inclusive of every comment but is a summary.

15-2894 VETERANS APPRENTICESHIP PROJECT IN CODE ENFORCEMENT

The Board received an update on the Veterans Apprenticeship Project in Code Enforcement.

Ebenezer Gujjarlapudi, Director of LUESA presented this matter. He was joined by Stacy Lowry, Director of Community Support Services, Jonathan Bahr, chairman of the Building Development Commission, Jay Potter and Steve Corriher with Central Piedmont Community College (CPCC).

Note: “Building with our Veterans” is an apprenticeship program that would allow qualified veteran participants to get the classroom training to become a code official while simultaneously learning in the field from a code official on the County Code Enforcement staff. At the conclusion of their training, these veterans would be eligible to apply for code official positions with Mecklenburg County Code Enforcement, thus helping the agency with its efforts to fill vacancies. “Building with our Veterans” is a collaboration of Mecklenburg County LUESA - Code Enforcement, Mecklenburg County Community Support Services, Mecklenburg County Human Resources and Central Piedmont Community College. The program is one-year long, and the first cohort will have 10 participants.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Clarke asked about the hourly compensation and the number of program hours, which was addressed.

Commissioner Clarke asked would persons in the program receive benefits. *The response was no, because they would be temporary employees.*

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Commissioner Clarke asked what type of guarantee participants would have that at the end of the training, a job would be available for them.

Director Gujjarlapudi said it would depend upon the number of vacancies at that time. He said if there were not enough available openings for everyone that completed the program, it would, however, create a pool of applicants to pull from as persons retire or resign. In addition,

for those that don't get hired, they would have at least gained a valuable trade equipping them for opportunities outside of the County.

Commissioner Clarke asked about the cost to take the state exam. He asked was it possible for the County to cover that cost for participants. *Director Gujjarlapudi said the County should be able to accommodate that need.*

Commissioner Scarborough asked where the veterans were being pulled from. Commissioner Scarborough said often female veterans were left out and not afforded the same opportunities as male veterans.

Commissioner Scarborough asked who was maintaining the database of veterans in Mecklenburg County and how were the names being obtained.

Director Lowry said Community Support Services in conjunction with CPCC would target veterans for participation. Director Lowry elaborated on planned recruitment efforts.

Commissioner Ridenhour asked if a veteran's GI Bill money would be tapped into to cover some of the cost of the tuition at CPCC. *Director Gujjarlapudi said CPCC staff who work with their veteran students would coordinate those matters for the student.*

Commissioner Cotham asked for clarity around the non-receipt of benefits by program participants, which was addressed.

Commissioner Cotham asked that consideration be given to perhaps increasing the hourly rate, since no benefits would be provided.

Commissioner Cotham asked about the salary of the position a participant would receive if hired by the County. *Director Gujjarlapudi addressed this question and noted the market rate for an Inspector 1 position.*

Commissioner Cotham asked about the hiring of veterans who may have a criminal record.

Director Gujjarlapudi said they would be subject to the County's normal HR screening process.

Commissioner Scarborough noted that there were agencies in the community that work with individuals to get things expunged from their records. *Director Gujjarlapudi said the only thing staff could possibly do would be to recommend they seek out that resource.*

Commissioner Dunlap asked was it possible for a participant to accelerate quicker through the program, than what's outlined. *Director Gujjarlapudi said he would have to look into that because there were state timeline requirements that would have to be taken into consideration.*

Commissioner Dunlap said with respect to the pay that's being provided to participants that even though he would love for participants to make as much as they could, it should be kept in mind there were permanent County employees that do not make the hourly rate that the participants would receive.

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Commissioner James commented on veterans that may receive some type of government assistance and questioned whether their participation in the program would impact the amount of government assistance they received.

Commissioner James said it was important for participants to understand that there was a possibility that any financial assistance being received could be reduced.

Chairman Fuller asked if the program could be structured, such that participants would be assured of a job after successfully completing the program. Chairman Fuller said so many times people go through training programs and at the end of the training, still can't find a job.

County Manager Diorio said if there were participants who successfully completed the program and there weren't any vacancies at that time, one option could be to create more positions, which would require Board approval.

County Manager Diorio said the program was funded through fees, so to the extent that there was revenue and work available, staff could come to the Board with a request for additional positions.

Commissioner Dunlap suggested staff submit the Veterans Apprenticeship Project to NACo as a candidate for an Achievement Award.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

15-2900 C.W. WILLIAMS COMMUNITY HEALTH CENTER UPDATE

The Board received a verbal update on C.W. Williams Community Health Center (C.W. Williams). It was noted that C.W. Williams had requested a letter of support from the County to include in their latest grant request to the federal government.

Assistant County Manager Mark Foster gave the update. The following was noted:

- C.W. Williams was under new management and has a new board of directors.
- They've been working very diligently, including meeting with the bankruptcy judge and creditors, monthly.
- They've met with the federal government Health Resources Services Administration, which supplies a major grant to C.W. Williams, to meet all of their conditions.
- On Wednesday, October 14, 2015 the NC Bankruptcy Court approved C.W. Williams' reorganization plan, effectively taking them out of bankruptcy.
- Thus far, C.W. Williams has met four of the County's six conditions for the release of county funds from contingency.
- The fifth & pending condition to be met is C.W. Williams' receipt of a FY16 competitive HRSA grant award at funding levels that would be sufficient to meet the reorganization plan approved by the court.
- The sixth condition was if the first five conditions were met and the Board takes C.W. Williams off of contingency for the release of funds, then the County would implement the payment conditions.

Assistant County Manager Foster addressed the importance of the FY16 HRSA grant to C.W. Williams, which he said represented about 43% of their budget. It was noted that C.W. Williams was in the process of completing that grant application.

Comments

Commissioner Scarborough asked for clarity regarding the letter of support requested by C.W. Williams.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake, to send a letter of support to accompany C.W. Williams' grant application for federal funding as requested by C.W. Williams.

Commissioner Puckett asked about other letters of support and from whom.

Debra Weeks, CEO of C. W. Williams Health Center said they'd received a great deal of support from community based organizations. She said a letter was on the way from Carolina Healthcare System and it's anticipated one would be received from Novant Health. Ms. Weeks said they were in receipt of a letter from Charlotte-Mecklenburg Schools, as well as, letters of support from several local churches. Ms. Weeks said there were others and that she could provide that list.

Commissioner James asked if there could be more than one federally recognized entity like C.W. Williams within the community. *The response was yes and that currently there were two.*

Commissioner James asked whether providing C.W. Williams with a letter of support would be viewed as it having priority over the other entity (Charlotte Community Health Clinic), since both were funded by the County. *Assistant County Manager Foster said to date Charlotte Community Health Clinic had not requested a letter of support from the County.*

Commissioner James said he didn't want to be accused of taking sides.

County Manager Diorio said staff would have to clarify whether Charlotte Community Health Clinic was competing in this round. *County Manager Diorio said Charlotte Community Health Clinic just received their funding a few months ago.*

County Manager Diorio said the County provided Charlotte Community Health Clinic with a letter of support when they applied for their original designation.

Commissioner James said as long as the two entities weren't competing against each, he was okay with providing a letter of support to C.W. Williams.

County Manager Diorio said if Charlotte Community Health Clinic were to request a letter of support, she would recommend they receive one as well. County Manager Diorio said there was "plenty of work to go around for these types of clinics."

Commissioner James said he wanted to see what C.W. Williams' balance sheet was going to look like after everything had been cleared away through the bankruptcy court.

Commissioner James said he was interested in how much of their debt had been dissolved and how much had been deferred.

Commissioner Dunlap spoke in support of C.W. Williams. He thanked CEO Weeks for coming in and getting C.W. Williams back to where it needed to be.

Commissioner Ridenhour acknowledged the efforts of Director Weeks upon her arrival as the new CEO of C.W. Williams. Commissioner Ridenhour said his concern was whether it was appropriate for the County to provide a letter of support, when C.W. Williams had not yet satisfied all of the County's conditions for its release of funds to them.

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Commissioner Leake spoke in support of C.W. Williams. She asked County Manager Diorio if she was supportive of providing C.W. Williams with a letter of support as they've requested. *County Manager Diorio said yes.*

Chairman Fuller spoke in support of C.W. Williams.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake, and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to send a letter of support to accompany C.W. Williams' grant application for federal funding as requested by C.W. Williams, which would be signed by the Chairman.

Commissioner Leake desired to make a motion to release the county funding being held in restricted contingency to C. W. Williams.

County Manager Diorio explained that the appropriate time to consider Commissioner Leake's motion would be once all of the County's conditions had been met by C.W. Williams. She said C.W. Williams should know sometime in January if they're going to receive the federal grant.

County Manager Diorio said once the conditions had been met, staff would report back to the Board regarding the release of the funds in restricted contingency, as well as, what would be required of C.W. Williams documentation wise going forward.

Commissioner Leake asked County Manager Diorio to put in writing for her, what she explained.

Commissioner Leake asked could another update be received on C.W. Williams at the next meeting. *County Manager Diorio said that would be too soon, but that staff would report back.*

C.W. Williams CEO Weeks thanked the Board for its continued support. CEO Weeks said in addition to requesting a letter of support from the Board, a request was also made to the Health Department. She asked that there be two separate letters.

Chairman Fuller said the motion approved would allow for that to occur. There was no objection by Board members to that request.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

15-2878 DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for October 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

A copy of the reports is on file with the Clerk to the Board.

15-2879 FEATURE DEPARTMENT PRESENTATION: OFFICE OF TAX COLLECTOR

The Board received as information a report from Mecklenburg County's Office of Tax Collector regarding the work the office performs.

Neal Dixon, Director, Office of the Tax Collector gave the report, which was in the form of a video presentation.

Comments

Chairman Fuller complimented the Tax Collector's Office on their collection rate.

Commissioner Leake asked about absentee landlords, which was addressed. Commissioner Leake said she provided a list of landlords that she had questions about to the Tax Collector's Office and was waiting on a response. She asked Director Dixon to follow-up with her regarding her request.

Commissioner Clarke asked about the collection rate on vehicles, which was addressed.

Commissioner Dunlap asked about the license plate recognition equipment that was used by the Sheriff's Office at one time, but because of a change in state law was no longer allowed. *Director Dixon addressed how the program worked.*

Commissioner Dunlap asked had a remedy been determined to deal with the issue of persons relocating to NC and failing to register their vehicle in the state after having been here for 30 days or more. *Director Dixon said enforcement of that was on the state level. He said this was not something in the Tax Collector's Office purview.*

Commissioner James requested an updated list of delinquent property owners dating back several years.

Chairman Fuller thanked Director Dixon for his report.

STAFF REPORTS & REQUESTS

15-2871 BUSINESS INVESTMENT GRANT: TTI FLOOR CARE N.A.

Motion was made by Commissioner Scarborough, seconded by Commissioner Clarke, and carried 5-4 with Commissioners Clarke, Cotham, Dunlap, Fuller, and Scarborough voting yes and Commissioners James, Puckett, Ridenhour, and Leake voting no, to adopt a resolution approving a Business Investment Program grant to TTI Floor Care N.A. for a total estimated amount of \$98,741 and authorize the County Manager to negotiate and execute a contract.

Peter Zeiler, Economic Development Director addressed this grant, prior to the above vote.

Note: TTI Floor Care N.A. is a subsidiary of Techtronic Industries Co. Ltd. TTI Floor Care produces consumer and commercial floor care products through brands such as Hoover, Dirt Devil and Oreck. TTI Floor Care is seeking to establish North American center of excellence for marketing and innovation. This center will consist of 200 employees, 165 of which are expected to be hired locally and 35 of which will be employees transferred from other locations. TTI Floor Care will invest \$5,000,000 in new taxable improvements and business personal property.

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**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR TTI FLOOR CARE N.A.**

WHEREAS, TTI Floor Care N.A. will establish a Center of Excellence for Marketing and Innovation in Charlotte; and

WHEREAS, the company evaluated sites in South Carolina; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City and County. The Board of Commissioners voted its intent to provide a Business Investment Program grant to the companies during a closed session meeting on August 4, 2015 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to establish its marketing and innovation center in Charlotte. The project will include a capital investment of approximately \$5.0 million and will create 200 new jobs within two years at an average annual salary of approximately \$90,748. The Business Investment Program grant is a 90% grant over 3 years, with an estimated total amount of up to \$98,741. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; now, therefore be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2872 BUSINESS INVESTMENT GRANT: ALBEMARLE CORPORATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Dunlap, and carried 5-4 with Commissioners Clarke, Cotham, Dunlap, Fuller, and Scarborough voting yes and Commissioners James, Puckett, Ridenhour, and Leake voting no, to yes, to adopt a resolution approving a Business Investment Program grant to Albemarle Corporation for a total estimated amount of \$129,011 and authorize the County Manager to negotiate and execute a contract.

Peter Zeiler, Economic Development Director addressed this grant, prior to the above vote.

Note: Albemarle Corporation is a specialty chemicals manufacturer currently headquartered in Baton Rouge, Louisiana. Albemarle Corporation has approximately 6,900 employees that serve customers in 100 countries. Albemarle Corporation is seeking to establish a new global headquarters as a result of recent acquisition that now necessitates new office space and convenient air travel access to European customers.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR ALBEMARLE CORPORATION**

WHEREAS, Albemarle Corporation will establish its global headquarters in Charlotte; and

WHEREAS, the company evaluated four sites in Louisiana and Texas; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City and County. The Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 4, 2015 and as authorized by the Board, the County communicated this information to

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the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to locate in Charlotte. The project will include a capital investment of approximately \$12.9 million and will create 120 new jobs within three years at an average annual salary of approximately \$187,350. The Business Investment Program grant is a 50% grant over 3 years, with an estimated total amount of up to \$129,011. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; **now, therefore, be it**

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2898 GRANT APPLICATION – RYAN WHITE PART A

The Board received information regarding the Ryan White Part A grant application.

Dr. Marcus Plescia, Health Director addressed this matter.

Comments

Commissioner Leake asked would more staff be hired to assist with this program. *Dr. Plescia said no, current staffing was adequate.*

Commissioner Leake questioned efforts being made in the community to address the problems of HIV/AIDS. Commissioner Leake said she wanted to know what was being done; where was it being done; and how was it being done.

Commissioner Leake said the numbers for women over the age of 55 was increasing.

Commissioner Leake said she also wanted to know who managed the program at the Health Department, because said she had not seen the director of the program anywhere out in the community.

Commissioner Leake said complaints continued to be heard that many persons serving on the Ryan White board worked for agencies that received funding.

Commissioner Leake requested information on 1) how much of the grant would be received by the other counties that are a part of this funding area, 2) whether the number of cases of HIV/AIDS in Mecklenburg County increasing or decreasing and what those numbers were, 3) a list of those who serve on the review panel.

Commissioner Leake said a better job needed to be done utilizing these funds.

Dr. Plescia said there was a Ryan White advisory group that advises the Health Department on the needs assessment of the grant and some of the priority areas, but that group did not make funding decisions. Dr. Plescia said funding decisions were made by independent reviewers, none of whom receive funding from the program.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

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- 1) Approve the submission of a grant application for \$7,000,000 in Ryan White Part A funds covering the period of March 1, 2016 through February 28, 2017 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009
- 2) If awarded, recognize, receive and appropriate funds for the grant period
- 3) Approve the allocation process involving regional participation in accordance with HRSA of the US Department of Health and Human Services guidelines

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

CLOSED SESSION

15-2868 LAND ACQUISITION – LITTLE SUGAR CREEK GREENWAY AND LINDA LAKE NEIGHBORHOOD PARK

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

- 1) Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a portion of Tax Parcel 089-022-10 (\pm 0.27 acres) from Caldwell Funderburk, Jr. in the Hidden Valley Neighborhood in north Charlotte for \$500 for the expansion of Little Sugar Creek Greenway.
- 2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #107-181-10 (+/- .91 acres) from Mr. David Morris in the City of Charlotte for a purchase price of \$115,000.

Note: The parcel will be incorporated into previously acquired property for the Linda Lake Neighborhood Park and will create enhanced access to the park for neighborhood residents.

Commissioner James left the meeting and was absent for the remainder of the meeting.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2865 UPDATED JAIL HEALTH MEDICAL PLAN

Adopt the updated Jail Health Medical Plan as required by G.S. 153A-225.

A copy of the Plan is on file with the Clerk to the Board.

15-2870 BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

Recognize, receive and appropriate revenue of \$4,641 from Lennar Carolinas, LLC as part of a default of bond obligations related to Carolina Village subdivision and carry forward the unspent balance until improvements are completed.

15-2874 MINUTES

Approve Minutes of Regular meeting held October 6, 2015 and Closed Session held October 6, 2015.

15-2876 CONSTRUCTION CONTRACT – TOBY CREEK GREENWAY PHASE II

Award a construction contract to Eagle Wood Construction, Inc. in the amount of \$2,770,545.20 pending and upon receipt of written concurrence with award by NCDOT.

Note: This contract is to construct Toby Creek Greenway, Phase II.

15-2877 CONSTRUCTION CONTRACT – FLAT BRANCH NATURE PRESERVE

Award a construction contract to TG&R Construction, LLC in the amount of \$787,215.

Note: This contract is for the construction of Flat Branch Nature Preserve located at 11833 Tom Short Road.

15-2880 HAZARD MITIGATION PROGRAM – FY16 FLOODPLAIN ACQUISITIONS

1) Accept the Offer of Sale of Real Estate from Kevin Leary, owner of property at 5000 Addison Drive (Tax Parcel 185-071-06), for \$430,000.

2) Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: These acquisitions are a part of the Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing residence with Storm Water Services capital funds.

15-2881 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursements of \$379 for Park and Recreation, \$3,402 for Sheriff's Office and \$5,537 for Asset and Facility Management.

Note: The County received insurance proceeds on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2884 LIGHTING AGREEMENT – TYVOLA SENIOR CENTER

Authorize the County Manager to execute a 10-year NC Service Agreement with Duke Energy in the amount of \$6,181.20 for additional lights to be installed on existing poles for the new ADA section of the parking lot at the Tyvola Senior Center located at the Marion Diehl Park, 2225 Tyvola Road.

15-2886 TAX REFUNDS

- 1) Approve refunds in the amount of \$6,271.38 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.
- 2) Approve refunds in the amount of \$2,927,099.09 and interest as statutorily required to be paid as requested by the County Assessor.

A list of refund recipients is on file with the Clerk to the Board.

15-2890 GRANT APPLICATION – KNIGHT CITIES CHALLENGE (PARK & RECREATION)

Approve submission of a grant application to the Knight Foundation in conjunction with the Health Department to purchase a custom van (FitMobile) and all related health and fitness equipment; and if awarded, recognize, receive and appropriate the grant funds.

15-2891 LAND DISPOSITION – WESTMORELAND REGIONAL PARK

Adopt a resolution to authorize the County Manager to negotiate and execute all documents necessary to dispose of a 3,765 square foot portion of County owned Tax Parcel 005-071-12 for \$10,800 to Westmoreland Lake, LLC.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
AUTHORIZING THE DISPOSITION OF A PORTION OF TAX PARCEL
005-071-12 AT 17702 WEST CATAWBA AVENUE IN CORNELIUS

WHEREAS, the County owns Tax Parcel 005-071-12 at 17702 West Catawba Avenue in Cornelius (hereinafter referred to as the "County Parcel"), which County Parcel is leased to the Town of Cornelius for a park; and

WHEREAS, Westmoreland Lake, LLC desires to obtain a portion of the County Parcel to assist with the construction of storm drainage infrastructure for the Preserve at Robbins Park, a single family residential neighborhood located adjacent to the park property, and has offered to pay \$10,800 for a 3,765 square feet portion of the County Parcel ("Storm Drainage Area"), which amount was determined by a recent appraisal; and

WHEREAS, the County has determined that the Storm Drainage Area, the area needed by Westmoreland Lake, LLC, is not needed to access, maintain or enjoy any portion of Westmoreland Regional Park, and the Town of Cornelius has approved the County's sale of the Storm Drainage Area by waiving its right of first refusal contained in its lease; and

WHEREAS, Mecklenburg County Park and Recreation has determined that this land is not needed for future park and recreation purposes.

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion \$10,800 is fair consideration for the Storm Drainage Area; and

WHEREAS, pursuant to G.S. 160A-269, the Board of County Commissioners is authorized to dispose of real property owned by the County; and

WHEREAS, pursuant to G.S. 160A-269, the Board approved a resolution stating its intent to authorize the disposition of the Storm Drainage Area and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer October 9, 2015 as required by law; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the disposition of the Storm Drainage Area for \$10,800 to Westmoreland Lake, LLC, authorizes the County Manager to negotiate and execute a contract for the disposition, and authorizes and directs the County Manager to execute the deed and any other documents necessary to effectuate the disposition.

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Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2892 GRANT APPLICATION – CAROLINA THREAD TRAIL – PARK & RECREATION

Approve submission of a grant application to the Carolina Thread Trail to assist in funding a bridge across Little Sugar Creek near Park Road Park of up to \$50,000; and if awarded, recognize, receive and appropriate the grant funds for the capital project.

15-2893 BUDGET AMENDMENT – MEDICAL EXAMINER’S OFFICE (REVENUE INCREASE)

- 1) Recognize, receive and appropriate additional state revenue of \$397,000.
- 2) Authorize three full-time investigator positions in the Medical Examiner’s Office (annual market rate \$44,530)

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2791 AMENDED AND RESTATED CHARLOTTE-MECKLENBURG REGIONAL WORKFORCE CONSORTIUM AGREEMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving the Amended and Restated Charlotte-Mecklenburg Regional Workforce Consortium Agreement.

RESOLUTION APPROVING AMENDED AND RESTATED CHARLOTTE REGIONAL WORKFORCE CONSORTIUM AGREEMENT

WHEREAS, in 1985, the City of Charlotte and Mecklenburg County entered into an agreement allowing the City to act as administrative and fiscal agent for the Job Training Partnership Act; and

WHEREAS, on August 7, 1998, the Workforce Investment Act (WIA) replaced the Job Training Partnership Act; and

WHEREAS, on April 6, 1999, the Board of Commissioners approved the Charlotte-Mecklenburg Workforce Investment Consortium Agreement with the City of Charlotte as a replacement for the December 1985 Charlotte-Mecklenburg Job Training Consortium Agreement and authorized the Chairman to execute the new agreement; and

WHEREAS, the goal of the Charlotte-Mecklenburg Workforce Investment Consortium Agreement is to establish a comprehensive service delivery system for various job training and job placement programs thereby eliminating or reducing the possibility of duplicating services between the City of Charlotte and Mecklenburg County; and

WHEREAS, the WIA and WIOA require local elected officials to appoint a Workforce Investment Board to govern the local program; and

WHEREAS, recent changes to federal workforce law requires the amendment and restatement of the Workforce Consortium Agreement; and

WHEREAS, a copy of the Amended and Restated Charlotte Regional Workforce Consortium Agreement is attached; **NOW, therefore be it**

RESOLVED, that the Mecklenburg Board of County Commissioners approves the Amended and Restated Charlotte Regional Workforce Consortium Agreement and authorizes the Chairman to execute the new agreement.

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Resolution/Agreement recorded in full in Minute/Ordinance Book _____, Document # _____.

Commissioner Leake removed this item from Consent for more public awareness.

**15-2860 BUDGET AMENDMENT – SHERIFF’S OFFICE – U.S. DEPARTMENT OF JUSTICE
2015 JUSTICE ASSISTANCE GRANT (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate funds from the U.S. Department of Justice, Justice Assistance Grant (JAG), in the amount of \$110,310 for the grant period.

Note: Federal grant funds will fund the following public safety initiatives and/or crime prevention programs:

- *\$102,105 to purchase a Meggitt Training System for the Firing Range. We are mandated to train employees for shoot/don’t shoot scenarios. The current system, which was originally installed in 1997, has recently failed and the company is no longer in business. It is imperative to replace the system in order to comply with State mandated firearms training and to provide active shooter response training with realistic shoot/don’t shoot scenarios.*
- *\$8,205 to purchase one Record Safe and one Filtration system for a Property Evidence Room to ensure adequate storage and ventilation for evidence seized. The Mecklenburg County Sheriff's Office (MCSO) has been notified that the Charlotte-Mecklenburg Police Department, due to space constraints, will no longer accept/store evidence seized by other agencies. As a result, MCSO will assume responsibility for property and evidence which we seize during an arrest.*

Commissioner Leake removed this item from Consent for more public awareness.

15-2869 LEASE AGREEMENT – MECKLENBURG COUNTY HEALTH DEPARTMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a five-year lease with The Keith Corporation (TKC) for the County’s Health Department’s Care Coordination for Children (CC4C) and Pregnancy Care Management (PCM) programs.

Commissioner Leake removed this item from Consent for more public awareness.

**15-2882 SET PUBLIC HEARING – NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
COMMUNITY TRANSPORTATION GRANT APPLICATION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to schedule a public hearing at 6:30 p.m. on November 4, 2015 to receive comments on the Mecklenburg County Department of Social Services’ application for the North Carolina Department of Transportation’s (NCDOT) Community Transportation Grant

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for Fiscal Year 2016-2017; and authorize the Clerk to the Board to publish Notice of Intent to hold public hearing.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried

8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:45 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

NOVEMBER 4, 2015

MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, November 4, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Cotham, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2754, 15-2905, and 15-2912 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

15-2903 CONSULT WITH ATTORNEY
15-2908 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels # 105-111-07, 105-154-10, & 105-154-11 and Tax Parcel #165-081-35.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

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The Board went into Closed Session at 5:23 p.m. and came back into Open Session at 5:41 p.m.

Commissioners Cotham, Puckett and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Commissioner Ridenhour left the meeting and was away until noted in the minutes.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to move Consent Item 15-2905 Proclamation – National Adoption Awareness Month from the Consent section of the agenda to the Awards/Recognition section.

Commissioner Ridenhour returned to the meeting.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

15-2905 PROCLAMATION -- NATIONAL ADOPTION AWARENESS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating November 2015 as “National Adoption Awareness Month” in Mecklenburg County.

Commissioner Leake read the proclamation.



PUBLIC APPEARANCE

15-2902

The following person appeared to speak during the Public Appearance portion of the agenda:

Justin Markle with Helping Homeless to Housing, a member agency of the Homeless Services Network, appeared as an advocate for affordable housing to end chronic homelessness. Mr. Markle acknowledged November as Homelessness Awareness Month. He thanked the Board for its continued support of efforts to end homelessness in the community. Mr. Markle said more than 160 individuals had been housed this year from its registry of those that were chronically homeless. He said they were very close at ending homelessness for the community's veterans that were chronically homeless.

Mr. Markle read the names of individuals from the agency's chronically homeless registry that had passed away since last November and who were still homeless at the time of their passing. Mr. Markle said there was an increase from last year from eight to fourteen individuals. The names called were: Amanda Padgett (age 29), Jack Church (died from cancer), James Caldwell, Nancy Shields (found dead in her camp), Andrew Dyles (murdered), Azizuddin Mustafa (froze to death), Leonard Smalls (Fell from the bridge where he was sleeping, landed in traffic, died in surgery), Young man, name unknown, who committed suicide, Clayton Williams, Theresa Akins, Sheila Mize, James Kite (died of asphyxiation), and two young ladies named Jennifer.

Mr. Markle said there were twelve individuals that also passed away, who had gotten back into permanent housing prior to passing.

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Mr. Markle asked the Board and the public to remember these individuals in whatever way deemed most appropriate by “continuing and stepping up the work to make sure no more have to die in places unfit for human habitation.”

Mr. Markle acknowledged receipt of a joint proclamation from the City of Charlotte & Mecklenburg County designating November 2015 as Homelessness Awareness Month in Charlotte/Mecklenburg County.

Chairman Fuller thanked Mr. Markle for appearing and for the work that he and others did on behalf of the homeless.

APPOINTMENTS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

15-2916 FISCAL YEAR 2016 RESTRICTED CONTINGENCY FUNDS FOR FIRST BAPTIST WEST – COMMUNITY SERVICES ASSOCIATION (CSA)

Management & Budget Director Michael Bryant addressed the proposed release of funds from restricted contingency to First Baptist West-Community Services Association (CSA).

A copy of the presentation is on file with the Clerk to the Board.

Note: The Board of County Commissioners approved a community service grant to First Baptist West - CSA for \$75,000 in the FY2016 Adopted Budget. These funds were placed in restricted contingency pending (1) fiscal year-end 2014 audited financial statements and (2) a recommendation from the County Manager. The restricted contingency also stated that the organization would not be eligible for funding in future years, if it did not adhere to audited financial statement requirements. First Baptist West - CSA met all conditions of the Board. The County Manager recommends releasing the \$75,000 from restricted contingency.

Comments

Commissioner Leake spoke in support of First Baptist West-CSA and for the release of funds from contingency. She asked for clarity with respect to staff’s recommendation, which was not to release the funds and that of the County Manager, which was to release the funds. *Director Bryant responded.*

Commissioner James commented on First Baptist West – CSA’s audit report. He asked about the note on the debt. *Rev. Dr. Ricky Woods, Pastor of First Baptist West and staff member, Patsy Burkins addressed the audit.*

Commissioner James commented on the use of the funds placed in contingency.

County Manager Diorio said the funding placed in restricted contingency was for a specific program. She said per staff’s review of First Baptist West CSA’s financial statements, they provided the program that the County was going to fund.

County Manager Diorio said County funds were not to be used for on-going operations. County Manager Diorio said if the funds were going to be used for on-going operations, her

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recommendation, with respect to the release of the funds, would have been different, because First Baptist West CSA's cash and financial position was poor.

County Manager Diorio said the only condition placed on First Baptist West-CSA was that they provide the County with their audit. She said there were no conditions with respect to their cash flow or positive net position.

Commissioner James asked would First Baptist West-CSA receive the \$75,000, if released, all at one time. *County Manager Diorio said they would be reimbursed for the amount of expenses incurred, per the receipts provided to the County, not exceeding \$75,000.*

Commissioner James asked what was First Baptist West-CSA's total expenses for the program that County funds would be used for. *Ms. Burkins and Rev. Dr. Woods responded. It was noted that total expenses were about \$125,000. It was noted also that the County's contribution did not cover all of the program cost.*

Commissioner James asked about the maturity of their loan, which was addressed.

Commissioner James asked County Manager Diorio the requirements of First Baptist West-CSA and other organizations that apply for county funding going forward. *County Manager Diorio said First Baptist West-CSA was aware that going forward, when they apply for a community service grant they must include their audit.*

County Manager Diorio noted that the reason this matter was before the Board was because when First Baptist West-CSA applied for a community service grant, they did not include their audit and, therefore, were not recommended for funding in the County Manager's Recommended Budget. County Manager Diorio said the Board, however, took action to add First Baptist West-CSA into the budget, but the funds were placed in restricted contingency until receipt of their audit.

Commissioner James asked about First Baptist West-CSA's unsecured line of credit that had a very high annual interest rate, which was addressed by Rev. Dr. Woods and Ms. Burkins.

Commissioner Dunlap asked about the financial expectations of organizations that apply for a County community service grant going forward, specifically, what would be required of organizations in advance. *County Manager Diorio explained the process.*

Commissioner James asked about the line item on information provided by First Baptist West-CSA that said church fees, which was addressed by Rev. Dr. Woods and Ms. Burkins.

Commissioner Cotham asked for clarity regarding the \$26,000 received from program participants that pay to participate, as well as, the amount shown for rent, which was addressed by Rev. Dr. Woods and Ms. Burkins.

Commissioner Cotham asked about the number of program participants whose cost was subsidized, which was address by Rev. Dr. Woods and Ms. Burkins.

Commissioner Cotham complimented First Baptist West-CSA on the services they provided.

Commissioner Puckett noted that the audit received was an audit of the organization as a whole and not of the specific program that the County would be providing funding for. He said the organization had complied with the County's request, which was to provide their audit.

Commissioner Clarke asked was First Baptist West-CSA on track for having an audit done as of June 30, 2015. *The response was yes.*

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Commissioner Clarke asked whether the County provided any type of financial counseling to First Baptist West-CSA regarding what they could do to pass the financial stability test going forward. *County Manager Diorio said nothing was done in particular for any organization, because the County's expectation was that they would manage their financial affairs in the way that they should. She said the County recommended in its revisions to the community services grant program that non-profit organizations seek membership in the professional organization that helps non-profits, so that they could receive guidance around improving their financial position.*

Ms. Burkins said they were members of the NC Center for Non-Profits and had been for years.

Chairman Fuller acknowledged that all of the questions asked were acceptable, but that he didn't want any of those questions to diminish the importance of the work done by First Baptist West-CSA.

Commissioner Scarborough complimented First Baptist West-CSA on what they did for children.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour, and Scarborough voting yes and Commissioner James voting no, to release \$75,000 from restricted contingency to First Baptist West – Community Services Association (CSA).

15-2919 REVISED: CHARLOTTE-MECKLENBURG SCHOOLS BUDGET UPDATE

The Board received a presentation from Management & Budget Director Michael Bryant summarizing the education budget decisions outlined in the North Carolina adopted budget and the Manager's recommendation for addressing the decisions that had a budgetary impact on the County's local share of education funding.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Leake noted that the proposed allocation of these funds to CMS would be in addition to what they had already received from the County. Commissioner Leake also noted that the County's overall funding to CMS was well above what was required by the state.

Commissioner Leake asked how much had the County provided to CMS for teacher supplement for the current fiscal year. *Director Bryant said he did not have the exact number in front of him, but for fiscal year 2015, the County provided approximately \$63 million.*

Commissioner Leake noted that once funds were allocated to CMS, the decision on how to use those funds was up CMS.

Commissioner Scarborough asked the school system, the teachers association and others, to read this information and to understand it. Commissioner Scarborough referenced a recent article in the newspaper. She said it appeared from the article that persons weren't fully informed regarding the County's support of CMS.

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Chairman Fuller asked with respect to the supplement funding allocated to CMS, whether it was the County's decision or CMS' as to what the supplement amount would be for teachers. *Director Bryant said that decision was made by CMS.*

Commissioner Dunlap asked for clarity around Director Bryant's comment regarding the funding of student growth, which was addressed.

Commissioner Dunlap said it would be helpful to have a baseline from which to calculate per pupil cost.

Commissioner Puckett commented on CMS's miscalculation of its growth projections. He said CMS was off "threefold" with their projections. Commissioner Puckett said that miscalculation resulted in CMS having an extra \$3.9 million of County funding.

Commissioner Puckett said in light of that miscalculation, the County had in essence over funded CMS.

Commissioner Puckett asked about charter school growth. *Director Bryant said he would get that information from CMS, but, per the state's website for the daily average membership, it indicated that charter school enrollment for 2016 was 15, 179, in 2015 - 13,139, and in 2014-10,804. He said CMS may report a different number, however.*

Commissioner Puckett said the Board needed to have a conversation with CMS, prior to next year's budget.

Commissioner James asked for clarity around the allocation of the proposed additional funding, which County Manager Diorio addressed.

County Attorney Bethune addressed the allocation of funding to CMS by categories.

Commissioner James asked about the allocation of the proposed additional funding and how that would impact charter schools, since a portion of County funds allocated to CMS was passed on to charter schools. *County Manager Diorio addressed the allocation of funding to charter schools.*

County Manager Diorio said CMS would still have to fund the \$236,000 pass thru funding to charter schools, internally, as well as, pay the locally funded employees, the \$750.00 bonus that state funded teachers would receive.

Commissioner Dunlap asked was there a way to find out, prior to the County doing its budget, information from CMS regarding the specifics of how County funding was used. He said it would be good for the Board to know if funds were spent on what CMS originally stated or were the funds utilized somewhere else.

County Manager Diorio said staff could request that information for FY15, but that information wouldn't be available in ample time for gearing up for the FY17 budget.

Commissioner Dunlap said if the County continued to fund CMS as it currently did, the County was going to be "lacking" in a lot of areas down the road as the community grew.

Commissioner Clarke commented on CMS' estimated enrollment growth. He said he was sure it was a difficult thing to predict.

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Commissioner Clarke questioned whether it would be worthwhile to spend time with CMS to discuss their process for projecting growth, with a follow up report to the Board on why they thought their estimate for this year was so far above the actual growth number.

County Manager Diorio said per the Superintendent, although the population continues to grow, what they're seeing was that a lot of the people moving here were young people without children. CMS did not take that into consideration when doing its forecast.

County Manager Diorio said she was told that CMS was going to go back and do a "deeper dive" on the numbers.

Commissioner Clarke noted that the proposed additional funding was a one-time allocation. *County Manager Diorio said that was correct.*

Commissioner Leake commented on the ability to place supplement funds in restricted contingency. She said she recalled years ago that the County did that once.

County Attorney Bethune said that was an agreement that was not "legally" enforceable. He said by statute the County could only restrict the Board of Education by putting funds into certain categories. County Attorney Bethune said those categories were very large and that CMS had the authority to move ten percent of anything within a category without the County's permission.

County Attorney Bethune said once funds were released from the County's restricted contingency and allocated to CMS, that CMS had total control of those funds.

Commissioner Ridenhour said he wanted to know where the excess funds went that weren't used to accommodate growth.

Commissioner Ridenhour suggested the County's REMI software be used to assist CMS in determining its growth projections. He said perhaps they could be allowed to use it or the County could run the program for them.

Chairman Fuller asked County Attorney Bethune if there was a recent change in the statute with respect to school funding that allowed the specific direction of funds for teacher compensation. *County Attorney Bethune said he would check on that.*

Chairman Fuller, in following up on Commissioner James' comment that a portion of the \$2.1 million, if approved, would go to charter schools, said the Board's expectation of CMS was that they would make up the difference, so that each teacher would get the \$750.00 bonus. Further, that CMS could fund it from the extra \$3 million it had from the amount the County provided to CMS for growth.

Note: The County's growth funding to CMS resulted in being more than what they needed.

Chairman Fuller said the growth projection issue, highlighted the need for more and continued communication between the Board of County Commissioners and the Board of Education. Chairman Fuller said "casting stones at each other doesn't help."

Chairman Fuller said the Board needed to be able to have confidence in the data received from CMS.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appropriate \$2,100,000 from fund balance

to fully support the County's share of a one-time \$750 bonus for CMS employees that are locally funded.

Commissioner Scarborough asked was it possible for the Board's Intergovernmental Committee to schedule a meeting between the Board and the Board of Education.

County Manager Diorio said she spoke with the Superintendent and now that the Board of Education election was over, a meeting would be scheduled.

PUBLIC HEARINGS

15-2911 REVISED: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) COMMUNITY TRANSPORTATION GRANT APPLICATION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open a public hearing to receive comments on Mecklenburg County Department of Social Services submittal of an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2016-2017.

Chairman Fuller read the following statement:

Voluntary Title VI Public Involvement Title VI of the Civil Right's Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency's federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at slipscomb@ncdot.gov.

No one appeared to speak.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and adopt the "Community Transportation Program Resolution, Section 5311 FY 2017" authorizing the Mecklenburg County Department of Social Services to submit an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2016-2017; and to recognize, receive and appropriate grant funds when awarded for the grant period

Note: Annually, the Mecklenburg County Department of Social Services requests a public hearing to receive comments regarding the Community Transportation Grant application. This North Carolina Department of Transportation grant provides funding for the administrative and capital requirements of the Mecklenburg County Department Social Services' Mecklenburg Transportation System (MTS) Unit of the Services for Adults Division. This grant is to provide financial assistance for the support of public transportation services primarily in nonurbanized areas.

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COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

**Section 5311
FY 2017 RESOLUTION**

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) Commissioner Ella B. Scarborough and seconded by Commissioner Vilma D. Leake for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, Mecklenburg County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of Mecklenburg Board of County Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

Resolution recorded in full in Minute/Ordinance Book ____, Document # ____.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

Commissioner Dunlap left the meeting and was absent for the remainder of the meeting.

CLOSED SESSION

15-2908 LAND ACQUISITION - REEDY CREEK NATURE PRESERVE EXPANSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 105-111-07, 105-154-10, and 105-154-11 (+/- 97.185 acres) in the City of Charlotte's Extra-territorial jurisdiction for expansion of Reedy Creek Nature Preserve from Grier Newell Properties, LLC for a purchase price of \$1,825,000.

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Note: Acquisition of this property will increase the County's landholding at Reedy Creek Nature Preserve and will extend the eastern boundary of the preserve.

Commissioner James left the dais and was away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2904 MINUTES

Approve Minutes of Regular meeting held October 20, 2015 and Closed Session held October 20, 2015

15-2906 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate (with short term lease back agreement) from Jason and Frances Brown, owners of property at 4934 Addison Drive (Tax Parcel 185-071-08), for \$400,000.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

15-2909 EASEMENT ACQUISITION -- LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a permanent greenway easement (± 0.324 acres) on tax parcel 173-325-15 from Fairfield Quail Hollow, LLC in the amount of \$5,425 for the future construction of Little Sugar Creek Greenway trail

15-2910 BUDGET AMENDMENT - LUESA (REVENUE INCREASE)

1. Recognize, receive and appropriate \$65,076.64 in Flood Mitigation Assistance grant funds from the North Carolina Department of Public Safety, Division of Emergency Management.
2. Authorize the County Manager to execute contracts with the North Carolina Department of Public Safety, Division of Emergency Management for a Flood Mitigation Assistance Grant.
3. Recognize, receive and appropriate \$21,692.21 other revenue from the homeowner.
3. Authorize the carry forward of unspent funds to subsequent years until completion of the project.

15-2913 TAX REFUNDS

Approve refunds in the amount of \$8,717.46 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals.

**15-2930 NEW ITEM: GRANT APPLICATION REQUEST FOR ENDORSEMENT
COG MOBILITY MGMT & VOLUNTEER TRANSPORTATION SVCS PROJECT**

Adopt Resolution of Support for Centralina Mobility Management and Volunteer Transportation Services NC DOT Enhanced Mobility of Seniors and Individuals with Disabilities Program FY17 Grant Application.

Note: Centralina Council of Governments (COG) is applying to the NC DOT for grant funds for its existing Mobility Management & Volunteer Transportation Services Project. The Board is being asked to adopt a resolution in support of its request to the NC DOT. The resolution would accompany COG's grant application. The application is due November 6, 2015. Volunteer Transportation Services (VTS) was created to address an unmet need in the community and provide transportation for older adults, people with disabilities and veterans through a network of certified volunteer drivers. A volunteer system helps to address many existing barriers including addressing the need for trips across county lines, non-traditional trip times, medical and non-medical trips, etc. Volunteer Transportation Services was created as a response to recommendations found in the 2013 Centralina Mobility Management Study. This study included transportation providers coming together to discuss gaps in services for our region. It was determined that a Volunteer Transportation Service should be created to serve individuals who do not qualify for or cannot access existing services.

**RESOLUTION OF SUPPORT FOR CENTRALINA MOBILITY MANAGEMENT and VOLUNTEER TRANSPORTATION
SERVICES
NCDOT Enhanced Mobility of Seniors and Individuals with Disabilities Program
FY17 Grant Application**

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation, Public Transportation Division (PTD) has principal responsibility and authority to administer funds from the US Department of Transportation, Federal Transit Administration; and

WHEREAS, the purpose of the Section 5310 Elderly Individuals and Individuals with Disabilities Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available in rural and small urbanized areas of North Carolina; and

WHEREAS, the Centralina Council of Governments has worked in concert with NCDOT to provide a Mobility Management program for the nine county region and Volunteer Transportation Services through Centralina Connection to improve services for elderly individuals, individuals with disabilities, and veterans; and

WHEREAS, the Centralina Council of Governments will apply for Section 5310 Elderly Individuals and Individuals with Disabilities Program funding for Mobility Management activities and Volunteer Transportation Services; and

WHEREAS, the Centralina Council of Governments has coordinated with the Transit Advisory Boards and Transit Agencies during regional mobility management activities; and

WHEREAS, no separate funds are being requested from Mecklenburg County to help implement this project,

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners, hereby supports

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Centralina’s funding proposal to the North Carolina Department of Transportation to improve transportation mobility for seniors, individuals and disabilities, and veterans.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James returned to the dais.

15-2754 MARION DIEHL TENNIS COMPLEX

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving an Amended and Restated Agreement with Queens University of Charlotte for a Sports Complex at the Marion Diehl Park.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING
AMENDED AND RESTATED AGREEMENT
WITH QUEENS UNIVERSITY OF CHARLOTTE
FOR A SPORTS COMPLEX AT THE
MARION DIEHL PARK**

WHEREAS, on July 13, 2004, the Mecklenburg County Board of Commissioners approved leasing a portion of the Marion Diehl Park to Queens University of Charlotte (“Queens”) for the development of a sports complex to be used jointly by Queens and patrons of the Mecklenburg County Park and Recreation Department; and

WHEREAS, the Development, Use, Operating and Maintenance Agreement for the Queens University of Charlotte Sports Complex at Marion Diehl Park (“Agreement”) was executed as of January 1, 2005 and recorded in Book 18460 at Page 849 in the Mecklenburg Public Registry; and

WHEREAS, Queens, has, as required by the Agreement, built the Soccer/Lacrosse Main Competition Field, Adaptive Use Field, Track, Field House and Grandstand, and associated parking and interior roads; and

WHEREAS, on May 12, 2015 the Park and Recreation Director presented the Board with a proposal that instead of Queens building the Tennis Complex as required by the Agreement, that it contribute part of the funds necessary for its construction and that the County fund the balance; and

WHEREAS, on July 7, 2015 the Board adopted a Capital Project Ordinance for the Queens Tennis Complex which appropriated \$3,800,000 of County funds for the construction, and recognized a donation from Queens of \$1,350,000; and

WHEREAS, in addition to this donation, Queens has committed to providing approximately \$150,000 of construction services to be provided by a private contractor wishing to assist Queens with this project; and

WHEREAS, the Park and Recreation Department and Queens have negotiated an “Amended and Restated Development, Use, Operating and Maintenance Amendment for the Queens University of Charlotte Sports Complex at Marion Diehl Park” which incorporates the details of the Queens proposal, which is acceptable to the Board; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners approves the Amended and Restated Development, Use, Operating and Maintenance Amendment for the Queens University of Charlotte Sports Complex at Marion Diehl Park , and authorizes the County Manager to execute this Amended and Restated Agreement, in necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as shall to her seem necessary, desirable or appropriate, her execution thereof to constitute conclusive evidence of her approval of any and all changes, modifications, additions or deletions therein from the form and content of the Amended and Restated Development, Use, Operating and Maintenance Amendment for the Queens University of Charlotte Sports Complex at Marion Diehl Park presented to the Board.

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Commissioner Leake removed this item from Consent for more public awareness.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2912 SOLID WASTE STAFFING – LUESA

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the addition of nine (9) positions for the Solid Waste - Yard Waste drop-off centers and the Foxhole Landfill.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:00 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 17, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2901, 15-2920, 15-2935, and 15-2940 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

- 15-2931 LAND ACQUISITION**
- 15-2934 CONSULT WITH ATTORNEY**
- 15-2936 BUSINESS LOCATION AND EXPANSION**

Prior to going into Closed Session, County Attorney Bethune announced the following land acquisition matters to be discussed in Closed Session: Tax Parcel #229-171-01 and Tax Parcel # Tax Parcel 025-221-04.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Ridenhour and

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Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition, Consult with Attorney, and Business Location and Expansion.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 6:33 p.m.

Commissioners Clarke and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

15-2941 EMPLOYEE AWARDS AND RECOGNITION

The Board recognized the departments and employees noted below. They were introduced by Deputy County Manager/Chief of Staff Chris Peek.

1) **County's Team of the Year**, sponsored by the County's Diversity Council: Adult Protective Services from Mecklenburg County's Department of Social Services

2) **County's 2015 Customer Service Heroes:**

- **Service Quality Hero** - Angela Norward, GIS Technician, LUESA GIS
- **Ethics Hero** - Steve Lineberger, Building Inspector, Code Enforcement
- **Timeliness Hero** - Tanya Dixon, ASA II, Child Support Enforcement
- **Courtesy & Respect Hero** - Sandra Corral, Human Services Specialist II, DSS
- **Communication Hero** - Sushma "Sue" Kumar, BIM Navigator, Code Enforcement

3) **County's 2015 Gerald G. Fox Employee of the Year:** Pete McNeil, Social Work Supervisor, from Mecklenburg County's Department of Social Services.

PUBLIC APPEARANCE

15-2925

The following person appeared to speak during the Public Appearance portion of the agenda:

Brenda Robinson, the first African American female pilot in the history of the U.S. Navy, informed the Board and the public about Aviation Camps of the Carolinas. Aviation Camps of the Carolinas was started by Ms. Robinson. Ms. Robinson said not only are students informed about aviation issues and careers in aviation, she also talks to them about issues and matters that impact them on a daily basis. Ms. Robinson is also a motivational speaker for adults.

Chairman Fuller thanked Ms. Robinson for appearing.

Commissioners Leake and Scarborough thanked Ms. Robinson for the work that she's doing with young people to give them hope and encouragement that they too can be successful.

APPOINTMENTS

15-2946 NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Travis Haston to the Building Development Commission for a three-year term expiring November 30, 2018, as the National Association of Remodeling Industry representative.

LIBRARY BOARD OF TRUSTEES

The following persons were nominated for appointment consideration to the Library Board of Trustees by Commissioner Dunlap: Ellen McIntyre and Hyong Yi.

Note: This is one of several boards that require persons nominated to be interviewed by an ad hoc committee of the Board, appointed by the Chairman.

Chairman Fuller asked for volunteers to serve on the ad hoc committee. Commissioners Clarke, Cotham, Leake, and Scarborough volunteered.

Appointments will be made pending a recommendation from the ad hoc committee on either December 1, 2015 or December 15, 2015.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Celia Furr and Sonja Sanders to the Nursing Home Community Advisory Committee for three-year terms expiring November 30, 2018.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner James, seconded by Commissioner Scarborough, to reappoint Mariana Nunez and Miyoshi Petty to the Women’s Advisory Board for a three-year term expiring November 30, 2018.

Commissioner Dunlap asked that a vote be taken on each individually.

After further discussion, Commissioner James agreed to amend his motion as noted below.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Miyoshi Petty to the Women’s Advisory Board for a three-year term expiring November 30, 2018.

PUBLIC HEARINGS

**15-2918 PUBLIC HEARING -- BID WITHDRAWAL FOR BUNDLED PARK PROJECTS CARMEL-
BID WITHDRAWAL**

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the hearing on Carmel Contractors’ request to withdraw their bid on the Mecklenburg County Bundled Park Projects.

Note: On October 20, 2015, County Asset and Facility Management held a bid opening for the Mecklenburg County Bundled Park Projects of West Charlotte Recreation Center Renovations, Hornets Nest Park Shelter Renovations and Veterans Park Renovations. The apparent low bidder was Carmel Contractors, Inc. with a bid of \$3,463,939 dollars. Subsequently, Carmel Contractors, Inc. requested that their bid be withdrawn on October 22, 2015. The withdrawal of bids is covered by GS 143-129.1. The statute allows a bid to be withdrawn if the low bidder can present credible evidence that a substantial error exists in the bid and that it was clerical in nature as opposed to a judgment error. Carmel Contractors’ request states that the clerical error occurred due to a spreadsheet that did not correctly total all of the line item costs for Hornets Nest Park Shelter Renovations. This resulted in Carmel Contractors’ bid being submitted to the County substantially lower than the actual cost of the work. Carmel Contractors’ bid is more than \$670,000 dollars below the next lowest bidder. Carmel Contractors, Inc. has satisfactorily demonstrated the clerical error to Asset and Facility Management.

No one from the public appeared to speak.

County Attorney Bethune addressed this matter.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the hearing on Carmel Contractors’ request to withdraw their bid on the Mecklenburg County Bundled Park Projects and adopt a resolution allowing Carmel Contractors to withdraw their bid.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION
APPROVING CARMEL CONTRACTORS, INC. TO WITHDRAW BID ON MECKLENBURG COUNTY BUNDLED
PARK PROJECTS**

WHEREAS, Mecklenburg County's Asset and Facility Management requested bids for the Mecklenburg County Bundled Park Projects of: West Charlotte Recreation Center Renovations, Hornets Nest Park Shelter Renovations and Veterans Park Renovations; and

WHEREAS, Carmel Contractors, Inc., submitted the low bid, a bid which was more than \$670,000 dollars lower than the next lowest bid; and

WHEREAS, Carmel Contractors, Inc., after reviewing its bid proposal, determined that it had made a substantial arithmetic error in the calculation of its bid amount; and

WHEREAS, as required by G.S. 143-129.1, within 72 hours after the opening of the bid, Carmel Contractors, Inc. presented Mecklenburg County with a written request to withdraw its bid due to the unintentional arithmetic error; and

WHEREAS, employees of Mecklenburg County's Asset and Facility Management have reviewed the original work papers used in the preparation of the Carmel Contractors, Inc. bid and have determined that such documents constitute credible evidence that the mistake was clerical in nature as opposed to a judgment error, and was actually due to an unintentional and substantial arithmetic error made directly in the compilation of the bid, which unintentional arithmetic error can be clearly shown by objective evidence drawn from inspection of the original work papers, and that the Carmel Contractors, Inc. bid was submitted in good faith; and

WHEREAS, as required by G.S. 143-129.1, the Mecklenburg County Board of Commissioners held a hearing on November 17, 2015 on the request by Carmel Contractors, Inc. that it be allowed to withdraw its bid for Mecklenburg County Bundled Park Projects; and

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WHEREAS, after considering information presented by employees of Mecklenburg County Asset and Facility Management, and such additional information as has been presented during the hearing held on November 17, 2015, the Mecklenburg County

Board of Commissioners has determined that Carmel Contractors, Inc. has fulfilled the requirements stated in G.S. 143-129.1 for withdrawal of a bid; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners has determined and does hereby hold that Carmel Contractors, Inc. has presented credible evidence that meets the requirements stated in G.S. 143-129.1 for withdrawal of a bid in that its price bid was based upon a mistake which was clerical in nature as opposed to a judgment error, was actually due to an unintentional and substantial arithmetic error made directly in the compilation of the bid, which unintentional arithmetic error or substantial omission can be clearly shown by objective evidence drawn by inspection of the original work papers, which mistake constitutes a substantial error, and that the bid was submitted in good faith; and be it further

RESOLVED that Carmel Contractors, Inc. is allowed to withdraw its bid without forfeiture of its bid security; and be it further

RESOLVED that the Clerk to the Board shall provide to Carmel Contractors, Inc. within five (5) days of the date of this hearing, a copy of this Resolution, which Resolution shall constitute a written ruling allowing the request to withdraw a bid.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2937 INTERNET2 TEFRA HEARING

Motion was made by Commissioner Vilma D. Leake, seconded by Commissioner Bill James and unanimously carried, with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing on the proposed financing for University Corporation for Advanced Internet Development (a/k/a Internet2).

WHEREAS, at 7:13 P.M., the Chairman announced that the Board of Commissioners (the "Board") would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the "Authority"), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$1,800,000 of its Limited Obligation Revenue Bonds (University Corporation for Advanced Internet Development) Series 2015A and its Limited Obligation Revenue Bonds (University Corporation for Advanced Internet Development) Series 2015B (collectively, the "Bonds"), which Bonds are part of a larger issue of up to \$20,000,000 in bonds for similar purposes throughout the United States;

WHEREAS, the Authority will loan the proceeds of the Bonds to University Corporation for Advanced Internet Development (a/k/a Internet2), a nonprofit corporation organized under the laws of the District of Columbia (the "Borrower") and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code"), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority to (1) finance the costs of acquiring, constructing and installing computerized equipment that splits or converts light into multiple waves that transmit data over the fiber optic cables of the Borrower's internet network and controls the available routes on which data can travel over such network, to be located at 4021 Rose Lake Drive, Charlotte, North Carolina, at which a maximum of \$1,800,000 will be expended (the "Project") for use as part of the Borrower's nationwide internet network which connects universities, governmental bodies and the private sector in the transmission and sharing of information and research for the benefit of the public generally, and (2) pay certain expenses incurred in connection with the issuance of the Bonds by the Authority;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing of the Project, and the issuance of the Bonds in an amount not to exceed \$1,800,000 in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the

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Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010, and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on November 3, 2015 a notice of public hearing was published in *The Charlotte Observer*, setting forth a general, functional description of the type and use of the facilities to be financed, the maximum principal amount of the Bonds to be issued to finance such facilities, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: [None]

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner Bill James moved that the public hearing be closed. The motion was seconded by Commissioner Jim Puckett and was unanimously approved with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes.

Commissioner Bill James introduced the following resolution and made a motion to adopt said resolution, a copy of which had been distributed to each Commissioner:

Resolution Approving The Issuance Of Not To Exceed \$1,800,000 Of The Public Finance Authority Limited Obligation Revenue Bonds (University Corporation For Advanced Internet Development) Series 2015a And Limited Obligation Revenue Bonds (University Corporation For Advanced Internet Development) Series 2015b To Finance Certain Costs Of Various Projects On Behalf Of University Corporation For Advanced Internet Development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance the Project, *provided that* in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction for the Project, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Jim Puckett seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough
NAYS: None

Extract/Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

15-2961 VETERAN'S DAY RECAP

County Manager Diorio shared information on the 2015 Veteran's Day Activities that the County was involved in. The following was noted:

- Veteran’s Day was an employee holiday.
- There was a Veteran’s Day cookout at Veteran’s Park.
- About 1,000 Thank You Notes were delivered to the Red Cross, signed by Board members, as well as, by employees that attended Employee Fest. The Red Cross will give the thank you notes out to veterans and their families, here locally and across the globe.
- Staff at the Tax Assessor’s Office and Office of Business Process Management provided household supplies to the community’s homeless veterans that have now been placed in housing, per the County’s Housing Our Hero’s Initiative.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

15-2927 FEATURE DEPARTMENT PRESENTATION: COMMUNITY SUPPORT SERVICES

The Board received as information a report from Mecklenburg County's Community Support Services (CSS) Department.

Note: The report was an overview of three key areas within CSS: Homeless Services Division; Veterans Services Division; and Domestic Violence, Substance Use & Violence Prevention Division. Covered also were key initiatives associated with the Homeless Services Division and the Veterans Services Division.

Stacy Lowry, Community Support Services Director gave the presentation.

A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner Dunlap asked about the receipt of an update on the possibility of having a homeless court or veteran’s court and also the status of being able to remove employment barriers for those that are homeless and have court issues. *Director Lowry said progress was being made and that a report was forthcoming.*

Commissioner Scarborough noted one of the oldest living veterans in Charlotte-Mecklenburg, Captain Dovey Johnson Roundtree, who is 101. She was the first African American Captain in the Women’s Army Corps (WAC).

Commissioner Cotham asked about the continued use of the Hal Marshall Annex for feeding the homeless. *Director Lowry said alternatives were being sought in consultation with community partners.*

15-2945 DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for November 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

STAFF REPORTS & REQUESTS – NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

15-2938 2016 BOCC MEETING SCHEDULE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the 2016 Mecklenburg Board of County Commissioners Meeting Schedule.

A copy of the schedule is on file with the Clerk to the Board.

15-2931 CLOSED SESSION - LAND ACQUISITION CMS PROPERTY ACQUISITION – REA FARMS

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Ridenhour voting yes and Commissioner Scarborough voting no, to approve the purchase price of \$3,000,000 for Charlotte-Mecklenburg Board of Education to acquire a portion (10 acres) of Tax Parcel 229-171-01 to serve as the site of a K-8 STEAM school in South Charlotte (as approved in the 2013 Bond).

Prior to the above vote:

Commissioner Leake said she had raised a question regarding the purchase price and that it was noted in response to her inquiry, that the cost was because of where the property was located. Commissioner Leake said her other concern was whether or not Charlotte-Mecklenburg Schools would indeed offer the programs in the proposed school as they’ve indicated. Commissioner Leake said her hope was that all children in the community would have an opportunity to participate in the programs at the school.

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Commissioner Scarborough said she was not supportive of the request because the Charlotte-Mecklenburg Board of Education had not provided sufficient information with respect to the make-up of the school.

15-2931 CLOSED SESSION - LAND ACQUISITION EASEMENT ACQUISITION – LONG CREEK GREENWAY

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for the acquisition of a permanent greenway easement (±0.67 acres) on Tax Parcel 025-221-04 from Roy I. Denman in the amount of \$23,000 for construction of a portion of Long Creek Greenway trail.

15-2934 CLOSED SESSION – CONSULT WITH ATTORNEY

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to schedule a Special Meeting on Tuesday, December 1, 2015 at 3:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for the purpose of holding an appeal hearing involving Veritas Community School, Inc. and the Charlotte-Mecklenburg Board of Education; and to approve using the Hearing Procedure outline provided to the Board by the County Attorney as guidelines for conducting the hearing.

A copy of the hearing procedure is on file with the Clerk to the Board.

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2922 CONSTRUCTION CONTRACT -- LITTLE SUGAR CREEK GREENWAY PHASE E

Award a construction contract to Onsite Development, LLC in the amount of \$4,499,097.96, pending receipt of written concurrence by NCDOT.

Note: This contract is to construct Little Sugar Creek Greenway, Phase E. The project begins at Tyvola Road and continues to Huntingtowne Farms Park.

15-2923 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from 4942 Addison Land Trust, owners of property at 4942 Addison Drive (Tax Parcel 185-071-07), for \$305,000
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises

Note: These acquisitions were being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

15-2924 COOK FARM REGIONAL PARK -- AGRICULTURAL LEASE

Adopt a resolution entitled “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to Cookson Limited Partnership RLLLP.”

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING LEASE OF PROPERTY TO
COOKSON LIMITED PARTNERSHIP RLLLP**

***WHEREAS,** Mecklenburg County is the owner of property, Tax Parcels 009-041-03A and 009-041-05A, located at Ervin Cook Road, Huntersville, NC, which was purchased for a future Regional Park; and*

***WHEREAS,** Cookson Limited Partnership RLLLP, wishes to lease and maintain +/-141.97 acres of the property of which +/- 90.72 acres will be used for agricultural purposes; and*

***WHEREAS,** the County and Cookson Limited Partnership RLLLP are in agreement with the following proposed business terms:*

- Location** – Portions of Tax Parcels 009-041-03A and 009-041-05A located at Ervin Cook Road, Huntersville, NC*
- Lease Term** - Five (5) years*
- Total Acreage Leased** - +/- 141.97 acres*
- Total Acreage To Be Used for Agriculture** - +/- 90.72 acres*
- Lease Rate** - \$65.00 per acre of agricultural area (+/- 90.72 acres) per year*
- Annual Lease Revenue** – \$5,896.80*
- Use of the Property** - The property will be used for agriculture purposes only and the Tenant will employ Best Management Practices in accordance with the conservation plan established by the Natural Resources Conservation Service.*
- Maintenance** - The Tenant will be responsible for daily and routine maintenance for the entire property (i.e., not just for the acreage used for agriculture).*
- Insurance** - Tenant shall be responsible for insuring Lessee's personal property on the leased property. Tenant shall be responsible for insuring the Property with a General Liability limit not less than \$1,000,000 per occurrence/aggregate including coverage for bodily injury, property damage, products and completed operations, personal/advertising injury liability and contractual liability. Mecklenburg County shall be listed as an additional insured.*

***WHEREAS,** the County’s Asset and Facility Management Department has determined that the property Cookson Limited Partnership RLLLP desires to lease will not be needed by the County during the term of the lease; and*

***WHEREAS,** pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by Cookson Limited Partnership RLLLP; now, therefore, be it*

***RESOLVED** that the Mecklenburg County Board of Commissioners does hereby approve a lease arrangement with Cookson Limited Partnership RLLLP as described above, and authorizes and directs the County Manager, or her designee, to negotiate and execute a formal lease agreement with Cookson Limited Partnership RLLLP, consistent with the business terms outlined above.*

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2928 HEALTH DEPARTMENT MODIFIED FEES

Approve the modified Health Department clinical fees.

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Note: As a participant in the HRSA 340B Program for discounted pharmaceuticals, the Health Department is only allowed to bill services to Medicaid at our 340B cost. The modified fees reduce the relevant fees to reflect the discounted rates. Other fees pertain to new services to be provided.

Modified fee list recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2929 BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate revenue of \$38,095 from Neighborhoods at Riverdale, LLC as part of a default of bond obligations related to Riverdale Subdivision and carry forward the unspent balance until improvements are completed.

15-2932 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$2,471 for Asset and Facility Management and \$575 for Sheriff's Office.

Note: The County received insurance proceeds based on claims for stolen and damaged items for the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2933 MINUTES

Approve Minutes of Regular meeting held November 4, 2015 and Closed Session held November 4, 2015.

15-2939 TAX REFUNDS

- 1) Approve refunds in the amount of \$6,415.22 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

- 2) Approve refunds in the amount of \$1,707,947.34 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$201,153.97.

15-2947 FIRST WARD PARK

Authorize the County Manager to negotiate and execute a short-term lease for the First Ward Park properties to enable the County to operate and maintain the Park until the County obtains title to the Park properties.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2901 HUD CONTINUUM OF CARE GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

A) Approve submission of five renewals and one new grant application to the U.S. Department of Housing and Urban Development:

1) Grant for up to \$1,701,867 for the year 9/1/2016 through 8/31/2017 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal A-15)

2) Grant for up to \$117,768 for the year 9/1/2016 through 8/31/2017 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal B-15)

3) Grant for up to \$98,714 for the year 8/1/2016 through 7/31/2017 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal C-15)

4) Grant for up to \$90,008 for the year 6/28/2016 through 6/27/2017 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal D-15)

5) Grant for up to \$63,000 to administer the local Homeless Management Information System for the Mecklenburg Continuum of Care for the period April 1, 2016 through March 31, 2017

6) Grant for up to \$250,000 for the year 9/1/2016 through 8/31/2017 to provide Shelter Plus Care targeted rental subsidies to approximately 20 homeless households with disabilities (New grant application)

B) Recognize, receive and appropriate funds for the amounts awarded for the duration of the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

15-2920 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1) Recognize, receive and appropriate funds in the amount of \$75,901 received from the Charlotte-Mecklenburg Police Department (CMPD)

2) Approve the creation of a Mental Health Licensed Clinician to be funded with funds received from CMPD

3) Approve creation of a full-time permanent Health Aide position in the Carolina Alcohol and Drug Program (CADRE).

Note: The CMPD is contracting with the Mecklenburg County Health Department, County Trauma and Justice Partnership for a dedicated Mental Health Licensed Clinician to assist the CMPD Crisis Intervention Team (CIT) officers by providing referrals and follow up for the programs’ target populations, diverting them from jail time to the appropriate community service. This will be a two year agreement with annual funding contracts. First year funding is \$75,901. No County match is required.

Commissioner Leake removed this item from Consent for more public awareness.

15-2935 BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a net decrease in revenue and expenditures in the amount of \$127,768.

Note: The net decrease reflects actual state, federal, and other funding changes.

Commissioner Leake removed this item from Consent for more public awareness.

15-2940 CREATE POSITIONS TO INCREASE PROGRESS ON ENDING HOMELESSNESS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize two positions in Community Support Services Department: 1 Licensed Mental Health Clinician and 1 Supervisor/Coordinator (annual market rates of \$89,784 and \$81,625 for a total of \$171,409).

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:48 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 1, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioner Cotham was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2824, 15-2954, 15-2955, 15-2956, 15-2957, and 15-2958 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

**15-2944 TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL
PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1))**

15-2950 CONSULT WITH ATTORNEY

15-2962 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: To Prevent Disclosure of Information That Is Confidential Pursuant To G.S. 105-259. (G.S. 143-318.11(A)(1) and Business Location and Expansion.

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The Board went into Closed Session at 5:09 p.m. and came back into Open Session at 5:59 p.m.

Commissioner Cotham was present when the Board came back into Open Session. She entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

15-2969 ELECTION OF BOCC CHAIRMAN AND VICE-CHAIRMAN

Chairman Fuller turned the meeting over to County Manager Diorio for the purpose of calling for the election of a Board chairman for a one-year term, effective December 1, 2015 and expiring December 5, 2016.

Note: In accordance with Section 39 of Chapter 153A of the North Carolina General Statutes, on the first Monday in December of each even-numbered year and at its first regular meeting in December of each odd-numbered year, the board of commissioners shall choose one of its members as chairman to serve as the presiding officer of the board of commissioners for the ensuing year. The board of commissioners shall also at such times choose one of its members as a vice-chairman to act in the absence or disability of the chairman.

County Manager Diorio asked for nominations for the election of chairman of the Mecklenburg Board of County Commissioners for a one-year term, effective December 1, 2015 and expiring December 5, 2016.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, and Commissioner Cotham voting no, to elect Commissioner Trevor M. Fuller as chairman of the Mecklenburg Board of County Commissioners for a one-year term, effective December 1, 2015 and expiring December 5, 2016.

Note: No other nominations were made for the position of chairman.

County Manager Diorio turned the meeting back over to Chairman Fuller.

Chairman Fuller thanked the Board for its continued support of him as chairman.

Chairman Fuller asked for nominations for vice-chairman of the Mecklenburg Board of County Commissioners for a one-year term, effective December 1, 2015 and expiring December 5, 2016.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, and Commissioner Cotham voting no, to elect Commissioner Dumont Clarke as vice-chairman of the Mecklenburg Board of County Commissioners for a one-year term, effective December 1, 2015 and expiring December 5, 2016.

Vice-Chairman Clarke thanked the Board for its continued support of him as vice-chairman.

Note: No other nominations were made for the position of vice-chairman.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

15-2949 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS – NONE

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

15-2963 2016 UNITED STATES PARALYMPIC TEAM TRIALS

The Board received an update from Doug Youngblood with Partners for Parks on the 2016 United States Paralympic Team Trials.

Note: Charlotte was selected as the site for the 2016 United States Paralympic Team Trials, June 30 through July 2, 2016. The categories are cycling, swimming, and track & field.

Chairman Fuller thanked Mr. Youngblood for the update.

Commissioner Ridenhour suggested that Partners for Parks reach out to the various cyclist groups in the community for assistance with the event.

15-2982 CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2016 ADOPTED BUDGET

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve Charlotte-Mecklenburg FY2016 Budget Amendment.

The above matter was presented to the Board by Michael A. Bryant, Budget Director.

Note: The Board of Education requested approval of changes in the allocation of the County appropriation by purpose and function of the amount included in the Board of County Commissioners (BOCC) budget ordinance adopted on June 16, 2015. As part of the adopted FY2016 County budget, the BOCC approved a total operating funding level of \$399,902,352 for CMS. The BOCC is required to approve any reallocation of funds submitted by the Board of Education (BOE) that exceeds ten percent within the purpose/function code categories of the approved County appropriation. The purpose/function code allocation in the County's budget ordinance is a placeholder based on a proportional allocation of funds while CMS determines how it will actually allocate all available funds (e.g., State, Federal).

In addition to appropriating \$399,902,352 in operating funds, on November 4, 2015, the BOCC approved an additional \$2,100,000 to fully fund the local amount required to match the State's funding decision to provide a \$750 one-time bonus to State employees.

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The BOE approved these adjustments, including the additional \$2,100,000 on November 10, 2015. The BOE's approval of the reallocation of funds has resulted in two adjustments that exceeds ten percent of the County approved appropriation. Below is an explanation of each adjustment:

- *Special Populations: The state mandated that funds could not be transferred out of the teacher assistant allotment. In previous years, CMS had been able to transfer funds from this allocation to fund additional teachers. In order to maximize the state funding received and maintain teacher positions, local expenditures were redirected to state and funding sources. This category decreased by \$9.7 million, a decrease 48.6%.*
- *School Leadership Services: In order to give principals the flexibility to staff their schools as needed, CMS allow them to exchange allotted positions to create positions that are not a part of their standard allocation. Giving the lateness of the budget adoption, current year exchanges (which caused changes in purpose codes) are reflected in the revised amount. This category increased by \$4.8M, an increase of 14.9%.*

The following comments were made prior to the above vote:

Commissioner Leake asked Director Bryant to share with the public, the amount of funding the County provided to Charlotte-Mecklenburg Schools (CMS) in FY 2014, 2015, and 2016.

Commissioner Leake said she requested this information in light of comments that had been made in the community by some, that the County doesn't support education.

Director Bryant noted the following:

In fiscal year 2014, the County funded CMS in the amount of \$447.9 million, which included CMS' operating budget, debt service, and capital replacement. CMS also received an additional \$2.3 million in fines and forfeitures. Thus, CMS received a total of \$450 million.

In fiscal year 2015, the County funded CMS in the amount of \$491 million, which included CMS' operating budget, debt service, and capital replacement. CMS also received an additional \$5 million in one-time funding, as well as, an additional \$2.3 million in fines and forfeitures. Thus, CMS received a total of \$498.9 million.

In fiscal year 2016, the County funded CMS in the amount of \$518.9 million, which included CMS' operating budget, debt service, and capital replacement. CMS also received an additional \$4 million in one-time funding, as well as, \$2.3 million from fines and forfeitures. Thus, CMS received a total of \$525 million.

The total amount of funding allocated over the last three years to CMS was \$1.5 billion.

Commissioner Leake said the information shared by Director Bryant regarding the County's funding of CMS was evidence that the County had not neglected funding education.

Commissioner Leake noted that once County funding was allocated to CMS, that CMS determined how the funds would be spent.

Commissioner Leake said it concerned her that despite all of the funding CMS had received over the years, there were still children who were not able to read, write, or do arithmetic. Commissioner Leake said in light of that, in her opinion, money was not the problem.

Commissioner Scarborough said she agreed with Commissioner Leake, that the County had always supported education in the community.

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Commissioner Scarborough said in some ways, “CMS needed to take a look at who they’re hiring, how they’re hiring and how they’re teaching, because the money was there.” She said CMS needed to make the funding it received work for the children of the community.

Commissioner Cotham noted that the funding outlined by Director Bryant did not include county funding for school nurses and school security measures, which would be additional funding in support of CMS. *Director Bryant said that was correct.*

Commissioner Cotham asked that at some future time, information be shared regarding CMS’ per pupil cost.

Commissioner Cotham noted that the County also funded non-profits that supported education in the community as well, such as Communities In Schools.

Commissioner Clarke asked whether the information shared by Director Bryant included or excluded the amount that got passed through to charter schools. *Director Bryant said it excluded that amount, however, he made some clarifying remarks with respect to his response as it related to action taken by CMS with respect to providing funding to charter schools.*

Commissioner Leake noted that CMS’ enrollment was less than what they anticipated.

Commissioner Leake said the question was “how were children being educated and were the resources where they needed to be.”

Commissioner Leake noted the County’s funding of Read By 3 (READ Charlotte) in the amount of \$100,000, which was also a means of supporting education in the community.

Commissioner James said he wanted to know the change in the allocation of employees, from what it was, to what it is now, after this change in their budget.

Commissioner James said he also wanted to know what the County was gaining and/or losing in terms of County positions.

Commissioner James requested, at a later date, an update on the Deloitte Study regarding how much the County was legally required to fund CMS versus the total amount of funding provided to CMS.

Commissioner James said the public needed to be aware of the amount of funding that the state required the County to provide, in comparison to what the County provided to CMS.

Commissioner James said county funding to CMS was well above the required amount.

Commissioner Ridenhour suggested when future discussions of this type around education were held, that staff provide a slide showing all of the areas by which the County funds and supports education, directly and indirectly to CMS.

Chairman Fuller said the comments made highlighted the need and importance of communication between the Board of County Commissioners and the Board of Education. He said the two bodies must meet and discuss the issues and stop pointing fingers and placing blame on each other.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2826 CAPITAL PROJECT ORDINANCE -- SCHOOL FACILITIES

Approve FY2016 School Facilities Project Budget Adjustment Capital Project Ordinance

***MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 SCHOOL –PROJECT BUDGET ADJUSTMENT
CAPITAL PROJECT ORDINANCE***

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st DAY OF December 2015:

Section I. That for the purpose of providing additional funds and reallocating funds in conjunction with the Project List attached as Exhibit A, and the West Charlotte Athletic Facilities project, together with any other available funds for authorized School capital projects including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$1,000,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

*Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:
2015-2016 fiscal year \$1,000,000*

Ordinance recorded in full in Minute/Ordinance Book _____, Document # ____.

15-2921 CODE ENFORCEMENT FUNDING AND STAFFING (LUESA)

- 1) Recognize and appropriate \$1,534,000 in additional permit revenue
- 2) Approve adding 20 positions to address the increase in customer demand, as follows:
 - 12 inspectors
 - 6 commercial plan examiners
 - 1 assistant fire marshal
 - 1 administrative support staff

15-2951 MINUTES

Approve Minutes of Regular meeting held November 17, 2015 and Closed Session held November 17, 2015.

15-2952 HAZARD MITIGATION PROGRAM -- FY16 FLOODPLAIN ACQUISITIONS

- 1) Accept the Offer of Sale of Real Estate from Merritt Tise and Roger F. Tise, II, owners of property at 5020 Addison Drive (Tax Parcel 185-071-04), for \$344,000.

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2) Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisitions was being done through the County's Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

15-2953 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$12,291 for Asset and Facility Management.

Note: The County received insurance proceeds based on the claims for stolen and damaged items for the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2959 DONATION FROM THE TRUST FOR PUBLIC LAND (PARK AND RECREATION)

Approve, recognize and receive the donation of outdoor fitness equipment to be installed at Druid Hills Park.

15-2960 PARK AND RECREATION CAPITAL PROJECT ORDINANCE AMENDMENT

Adopt amended Park and Recreation Approved November 5, 2008 Referendum Capital Project Ordinance.

Note: This restated ordinance will allow for adjustments in the Park and Recreation capital projects within the total amount authorized for the included FY2014-2016 projects as described in the November 10, 2015 Capital Improvement Plan update. This would include an adjustment of \$13 million from the FY2018 proposed authorizations for the Long Creek Greenway - Phase II, Marian Diehl Recreation Center and the Sugaw Creek Recreation Center projects. Construction funding for these projects may have to be replaced in the next CIP.

**MECKLENBURG COUNTY, NORTH CAROLINA
PARK AND RECREATION
APPROVED IN NOVEMBER 5, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of FY2014 Authorization Park and Recreation Approved in November 5, 2008 Referendum Capital Project Ordinance as amended March 19th 2013, FY2015 Authorization Park and Recreation Approved in November 5, 2008 Referendum Capital Project Ordinance as April 1, 2014, FY2016 Authorization Park and Recreation Approved in November 5, 2008 Referendum Capital Project Ordinance as adopted July 7th 2015, FY2016 Authorization Park and Recreation Queens Tennis Complex Capital Project Ordinance as adopted July 7th 2015 and FY2016 Authorization Park and Recreation Second Ward Gym Renovation Capital Project Ordinance as adopted July 7th 2015 by Commissioner _____, who moved its adoption:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st DAY OF DECEMBER 2015:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:
See attached Exhibit A

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$137,500,000 is hereby appropriated. The amounts shown for individual projects listed in Exhibit A in the several capital project ordinances which are being amended and restated into this Capital Project Ordinance are no longer effective, and the amounts shown for these projects in the most recently adopted CIP are no longer effective. This will allow funds previously planned to be used for some projects to, instead, be used for other projects on the Exhibit A list.

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Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:		
2014-2016 fiscal years		\$50,500,000
2017 fiscal year	65,130,000	
2018 fiscal year		21,870,000

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2965 CONSTRUCTION CONTRACT -- BUNDLED PARK PROJECTS

Award a construction contract to Edifice, Inc. in the amount of \$4,312,533

Note: This contract is for the Bundled Park Projects at the following locations:

*A. West Charlotte Recreation Center - Renovations (2401 Kendall Drive, Charlotte, NC)
This project includes partial demolition, reconfiguration of interior spaces and major renovations to interior finishes, building systems and exterior storm water drainage.*

*B. Hornet's Nest Park Shelter Renovations (6301 Beatties Ford Road, Charlotte, NC)
This project includes the revitalization of an existing shelter to create an enclosed/rentable building. Amenities include meeting space for approximately 150 people, a warming kitchen, restrooms, storage, various new building systems and site improvements.*

*C. Veterans Park Renovations (2136 Central Avenue, Charlotte, NC)
This project includes partial demolition/reconfiguration of interior spaces and major renovations to an existing rentable park building. New amenities include meeting space for approximately 150 people, a warming kitchen, restrooms, storage, various new building systems, site improvements and a new separate stand-alone restroom building for general park use.*

15-2967 BUDGET AMENDMENT -- CRIMINAL JUSTICE SERVICES (REVENUE DECREASE)

Amend the Criminal Justice Services (CJS) FY16 budget to decrease the North Carolina Department of Public Safety Intermediary Agency Grant revenue and expenses by \$34,849

Note: This grant provides continuation funding for Re-Entry Services which offers case management and supportive services for persons recently released from state incarceration. This reduction is based on the state legislature's funding of the five pilot sites in North Carolina.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

15-2824 CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES CAPITAL PROJECT ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an amendment to the *FY 2016 Authorization Central Piedmont Community College Facilities Approved In November 5, 2013 Referendum Capital Project Ordinance*.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
APPROVED IN NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 1st Day of December, 2015

Sections I and II are amended as follows:

Section I. *That for the purpose of providing funds, together with any other available funds, for the following projects:*

<i>Harper Campus Phase 4</i>	<i>\$41,250,000</i>
<i>Levine Campus Phase 3</i>	<i>\$31,100,000</i>
<i>Basic Skills Literacy Center (Design)</i>	<i>\$300,000</i>
<i>Central Campus@Charlottetown Ave. (Design)</i>	<i>\$1,775,000</i>
<i>Terrell Renovation and Expansion (Design)</i>	<i>\$300,000</i>

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$74,725,000 is hereby appropriated.

Section II. *That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:*

<i>Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds</i>	
<i>2015-2016 fiscal year</i>	<i>\$5,789,000</i>
<i>2016-2017 fiscal year</i>	<i>30,812,000</i>
<i>2017-2018 fiscal year</i>	<i>38,124,000</i>

Section III. *That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.*

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # ____.

15-2954 CAPITAL RESERVE EXPENDITURE -- PARK OPERATIONS --\$885,000

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize expenditure of up to \$885,000 from Park and Recreation Capital Reserve accounts for the following major repairs and replacements:

1. Golf Course Capital Reserve - \$125,000 for Charles L Sifford Golf Course and \$100,000 for The Tradition Golf Course
2. Tennis Court Capital Reserve - \$200,000 for renovation of nine (9) tennis courts at Jeff Adams Tennis Center

3. Synthetic Turf Field Capital Reserve - \$460,000 to replace the synthetic turf field at William R Davie Park and fence work around athletic fields at Harrisburg Road Park and Revolution Park.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Scarborough asked were any of these funds for Eastway Park. *Park and Recreation Director Jim Garges said no.*

Commissioner Scarborough inquired about funding of Eastway Park. *Director Garges said Phase 2 and 3 of Eastway Park was not included in the 2008 bond issue, nor in the current 2017 or 2018 capital program.*

Commissioner Scarborough asked was action needed by the Board to have Eastway included at some point. *Director Garges said yes.*

15-2955 CAPITAL RESERVE EXPENDITURE -- PARK OPERATIONS --\$137,000

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize expenditure of up to \$137,000 from Park and Recreation Capital Reserve accounts for the following scheduled repair/replacement projects:

1. St. Mary's Chapel Capital Reserve - \$5,000 to repair wooden benches and plastered walls
2. Colonel Beatty Park Capital Reserve - \$17,000 to upgrade indoor shelter including replacement of cabinets and appliances along with an upgrade to LED light fixtures in the meeting area
3. Blythe Landing Capital Reserve - \$40,000 to connect the park to Charlotte Water Utilities and cap the existing well
4. Jetton Park Capital Reserve - \$75,000 to stabilize another 500 feet of shoreline and repair, clean and refurbish tennis courts.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Scarborough said she was concerned that some park needs were not being addressed.

15-2956 LIGHTING AGREEMENT -- SEVERSVILLE NEIGHBORHOOD PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute a 3-year NC Service Agreement with Duke Energy in the amount of \$995.40 (\$27.65 per month) for additional lighting along the greenway section next to the tunnel under West 4th Street Extension

Commissioner Dunlap left the meeting and was absent for the remainder of the meeting.

Commissioner Leake removed this item from Consent for more public awareness.

**15-2957 GRANT APPLICATION -- UNITED STATES TENNIS ASSOCIATION
(USTA) (PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application to the USTA North Carolina Grant to partially offset the cost of resurfacing tennis courts at Coulwood Park, Tuckaseegee Park, Freedom Park and Jeff Adams Tennis Center (Each site would be a separate application with a maximum award of \$10,000 each.); and if awarded, recognize, receive and appropriate the grant funds as designated to the Tennis Court Capital Reserve Fund.

Commissioner Leake removed this item from Consent for more public awareness.

**15-2958 DONATION FROM GILES FOUNDATION FOR SHAMROCK SENIOR
CENTER**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to accept and appropriate a donation in the amount of \$5,000 from the Giles Foundation for the refugee program at the Shamrock Senior Center.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:26 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman

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MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 15, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett,
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2974, 15-2975-, 15-2976, 15-2991, 15-2992, 15-2994, 15-3008, and 15-3015 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

15-2986 CONSULT WITH ATTORNEY
15-3022 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcels #105-111-07, 105-154-10, and 105-154-01.

It was noted there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

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The Board went into Closed Session at 5:22 p.m. and came back into Open Session at 5:29 p.m.

Commissioners Dunlap and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Commissioner James, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

15-2984 PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the agenda.

APPOINTMENTS

15-3017 NOMINATIONS/APPOINTMENTS

AIRPORT COMMISSION

Motion was made by Commissioner Puckett seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Randy Freeman to the Airport Commission for a four-year term expiring December 31, 2019.

AUDIT REVIEW

Motion was made by Commissioner James seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Alexander Vuchinich to the Audit Review Committee for a three-year term expiring December 31, 2018.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Clarke seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Cynthia Ham to the Human Resources Advisory Committee to fill an unexpired term expiring January 31, 2017 and Gale Staff to fill an unexpired term expiring June 30, 2017.

Note: They replace David Liss who resigned, because he felt he lacked sufficient experience to contribute meaningfully to the committee; and LisaMarie Delaney who relocated.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Scarborough seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to reappoint Darrell Gregory to the Juvenile Crime Prevention Council for a two-year term expiring June 30, 2017 as the Non-Profit representative.

Motion was made by Commissioner Dunlap seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Aundrea Dean to the Juvenile Crime Prevention Council for a two-year term expiring June 30, 2017 as the Business category representative.

Note: She replaces Laura Johnson who resigned.

Commissioner Cotham noted a pending vacancy for the Faith category that was previously filled by Evelyn Mills. Ms. Mills resigned because of health issues.

Commissioner Cotham expressed sincere and heartfelt thanks to Ms. Mills for her service on the Juvenile Crime Prevention Council, as well as, on other boards in the community, when she active.

Commissioner Cotham said not only did she appreciate Ms. Mills for her service to the community, but that she considered Ms. Mills to be a “friend.”

Commissioner Cotham noted that Ms. Mills’ health was rapidly declining. She asked that Ms. Mills and her family be kept in prayer. Ms. Mills was appointed to the Juvenile Crime Prevention Council on May 21, 2013 as the Faith representative to fill an unexpired term expiring September 30, 2013 and was reappointed for a second term on September 17, 2013 for a two-year term expiring September 30, 2015.

Chairman Fuller echoed that Ms. Mills had indeed served the community “very well.”

Commissioner Cotham asked that the sentiments expressed towards Ms. Mills be recorded in the minutes.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Puckett seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Sterling Martin to the Park and Creation Commission as the North Region 2 representative for a three-year term expiring June 30, 2018.

Motion was made by Commissioner Clarke seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Tony Arreaza to the Park and Creation Commission as the Central Region 2 representative for a three-year term expiring June 30, 2018.

Motion was made by Commissioner Leake seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Mary Foxx Johnson

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to the Park and Recreation Commission as the Central Region 1 representative to fill an unexpired term expiring June 30, 2016.

Note: They replace Sheryl Smith who resigned because she moved out of the region she was representing, Jude Harding who resigned because of other commitments, and Brenda McMoore who was no longer eligible to serve, having served two full consecutive terms.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner Dunlap seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to nominate and appoint Pat Schulz to the Women’s Advisory Board for a three-year term expiring November 30, 2018.

Note: She replaces Dana Cuberson, who decline reappointment consideration.

Commissioner James commented on the number of resignations associated with the Women’s Advisory Board. He questioned whether there was a problem that needed to be addressed.

Commissioner Dunlap echoed Commissioner James’ comments with respect to the number of resignations that had occurred. He asked County Manager Diorio to have the staff liaison to the Women’s Advisory Board, Peter Safir, to provide the Board some type of explanation as to why persons had resigned in such numbers.

LIBRARY BOARD OF TRUSTEES

Commissioner Clarke presented the Board’s Ad Hoc Appointment Committee’s recommendation for appointments to the Library Board of Trustees. It was noted the Committee voted unanimously to recommend the appointment of Ellen McIntyre and Hyong Yi.

Motion was made by Commissioner Leake seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to appoint Ellen McIntyre and Hyong Yi to the Library Board of Trustees for four-year terms expiring December 31, 2019, effective January 1, 2016.

They will replace Joan Martin and Robert Sink at the conclusion of their terms, expiring December 31, 2015, both have served to full consecutive terms.

PUBLIC HEARINGS

15-3009 REAL ESTATE EXCISE TAX REFUND REQUEST

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to hold a hearing on a request for reimbursement received from Sperber Law, PLLC of excise tax in the amount of \$200, which was denied by the County Manager because it did not meet the statutory timeframe for making the request.

No one appeared to speak.

Note: According to the documentation submitted, the tax was paid on April 9, 2015. The deadline for submitting a request for reimbursement was October 9, 2015. The request was received on November 10, 2015.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the hearing on the request for reimbursement received from Sperber Law, PLLC of excise tax in the amount of \$200. Secondly, to deny the request for reimbursement on the grounds that the request was not received within six months after the date the tax was paid as required by NC G.S. 105-228.37(a) Refund of Overpayment of Tax.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

15-3001 BOCC 18-MONTH STRATEGIC AGENDA REPORT

The Board received as information a report on the Board of County Commissioners' 18-Month Strategic Agenda.

Monica R. Allen, Strategic Planning & Evaluation Director gave the report.

Note: In January 2014, the Board of County Commissioners adopted its 18-month Strategic Agenda. The Strategic Agenda includes initiatives that focus on Economic Development, Human Services Planning, Quality of Life/Cost of Living and High Performing Organization. The presentation highlighted the most recent updates to the initiatives.

A copy of the report is on file with the Clerk to the Board.

Chairman Fuller thanked Director Allen for the report.

15-3020 UPDATE ON DISPOSITION OF CENTER CITY REAL ESTATE

The Board received information on the status of the process related to the redevelopment of the Second Ward parcels, the Education Center/ Marshall Park and the Robert L. Walton Plaza.

Dennis LaCaria, Senior Assistant to the County Manager gave the update.

Comments

Commissioner Dunlap asked for clarity around what would happen if one of the three firms selected to advance to Phase II did not provide the financial information that’s required, would another firm be selected to replace that firm or would staff move forward with the two remaining firms. *Mr. LaCaria said staff would move forward with the two remaining firms.*

Commissioner Leake commented on the Brooklyn community of the past and the expectation going forward with the redevelopment of this property.

Commissioner Scarborough said she hoped the redevelopment of the property would not “price out” people who were living here now, as was done in the past. She also said she hoped the character of Charlotte/Mecklenburg doesn’t get lost in the redevelopment.

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Commissioner James asked with respect to the financial soundness and capability component of the Request for Qualifications Evaluation Criteria, were the three firms selected all comparable in terms of financial strength. *Mr. LaCaria said there were some differences but not anything significant at this stage of the process.*

Commissioner James said he was interested in knowing about the archeology of the area. He said it would good to receive a summary of where things were, when the area was the Brooklyn community. He said there could be artifacts of historical significance buried underneath current structures.

Commissioner James said he did not want to slow the process down, but he would like to see some type of process to ensure that any artifacts found would be saved.

Mr. LaCaria noted that each of the firms selected to advance to the next phase, had a historical consultant(s) as a part of their team. He noted further that one of the firms provided an overlay of what the area use to look like.

Commissioner James said he would like for the overlays to date back as far as possible.

Commissioner Ridenhour asked for clarity around the exact location of Brooklyn Village, which was addressed.

Commissioner Ridenhour expressed excitement for the project. He said this was a great opportunity that would drive other development into Second Ward.

Chairman Fuller asked about the possibility of a school being located in the area based on some past discussions. *Mr. LaCaria said there had not been, to this date, any discussion around the location of a school. He said that was something that the respondents (the firms) would work through as they move through the process.*

Chairman Fuller asked would firms that did not respond to the Request for Qualifications be able to respond to the Request for Proposals. *Mr. LaCaria said they would not be able to respond. He said their only opportunity would be to reach out to one of the firms selected, per the Request for Qualifications process, to see if they could somehow partner with them.*

Chairman Fuller said he was a little concerned that only three firms were presented. *Mr. LaCaria said national firms were contacted to see if they would be interested. He said some nationally recognized firms attended the pre-bid conference and some called and asked questions. Mr. LaCaria said he didn't think, however, any of them were looking to take the lead on the project, in light of the amount of activity that's currently taking place in the market. He said the County was asking a lot with respect to leading this project. He said national firms could reach out to whatever firm was eventually selected for partnering opportunities.*

Chairman Fuller asked for clarity around the affordable housing component of the project, which was addressed.

Chairman Fuller commented on the significance of this project.

Commissioner Dunlap cautioned the Board not to get too involved in the development from the perspective of what the Board wanted, such that it could deter developers from wanting to get involved.

Commissioner Clarke asked about the acreage involved in the project. *Mr. LaCaria said it was around 16 acres.*

Commissioner Clarke asked about the typical acreage for a high school in Mecklenburg County. *Mr. LaCaria said about 50 acres in a suburban area.*

Commissioner Clarke asked were any of the County’s facility needs being considered in connection with this project. *Mr. LaCaria said only ancillary needs, such as parking was being looked at. He said it was felt the County’s facility needs were pretty well set with where the County was currently within the government district. Also, that when the Wolfe Courthouse was brought back on-line, there would be opportunities to utilize space that was not currently being used in that facility.*

Commissioner Clarke asked that staff keep in mind, the possible long term facility needs of the County as it goes through this process.

Commissioner Puckett expressed excitement about the project and the opportunities it affords the County. Commissioner Puckett said it should be kept in mind, the future use of the proceeds derived from this project. He also echoed Commissioner Dunlap’s sentiments around the County’s over involvement with the development.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

15-3000 FEATURE DEPARTMENT PRESENTATION: DEPARTMENT OF SOCIAL SERVICES

The Board received as information a report from Mecklenburg County's Department of Social Services (DSS) regarding its areas of service.

Peggy Eagan, Director of Social Services gave the report.

Comments

Commissioners complimented and thanked Director Eagan and her staff for the fine job they do on a daily basis to assist the residents of Mecklenburg County.

Commissioner Dunlap commented on the DSS staff caseload, per a concern he received from an employee about being over worked. He said this was something that needed to be discussed at budget time.

Commissioner Cotham asked for clarity with respect to what’s meant by New Protective Service and Individuals under County Responsibility, which was addressed.

Commissioner Cotham asked about the location of children that were under the County’s responsibility. *Director Eagan said the majority of the children resided in Mecklenburg County but some did not.*

Commissioner Cotham asked if smoking was prohibited in foster care homes. *The response was no.* Commissioner Cotham expressed concern for children living in foster care homes being exposed to secondhand smoke.

Commissioner Cotham asked about the adults under the County’s responsibility, which was addressed.

Commissioner Clarke asked about NCFast, which was addressed.

Commissioner Clarke asked about staff turnover, which was addressed.

Chairman Fuller commented on the number of individuals that received services from the Department of Social Services, which he said related to the need for more economic opportunity.

STAFF REPORTS & REQUESTS – NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE

15-3022 CLOSED SESSION – LAND ACQUISITION - REEDY CREEK NATURE PRESERVE EXPANSION

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 105-111-07, 105-154-10, and 105-154-01 (+/- 97.185 acres) in the City of Charlotte’s extra-territorial jurisdiction for expansion of Reedy Creek Nature Preserve from Grier Newell Properties, LLC for a purchase price of \$1,825,000, subject to a recorded option that the City of Charlotte has to purchase a conservation easement from the County on roughly 21 acres of the property for a total of \$260,000.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

15-2966 BUDGET AMENDMENT -- LUESA AUCTION REVENUE

Recognize, receive and appropriate revenue of \$176,655 from the vehicle auction.

Note: These funds represent LUESA's portion of the proceeds from the September 2015 vehicle auction.

15-2971 REVISIONS TO THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Adopt revisions to the Mecklenburg County Air Pollution Control Ordinance.

Note: Mecklenburg County Air Quality recommended adoption of revisions to MCAPCO in response to State certification requirements and United States Environmental Protection Agency (USEPA) grant requirements. The proposed revision was reviewed by the County Attorney, the North Carolina Division of Air Quality, and the United States Environmental Protection Agency, Region IV. Proposed MCAPCO revisions were approved by the Mecklenburg County Air Quality Commission on October 26, 2015. Pursuant to NCGS 143-215.112 “Local Air Pollution Control Programs,” paragraph(c)(1)(d), any applicable rules duly adopted by the NC Environmental Management Commission may be adopted by reference without public hearing.

Ordinance recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2979 BUDGET AMENDMENT -- DSS (REVENUE INCREASE/DECREASE)

A. Reduce Federal Temporary Assistance for Needy Families (TANF) revenue in the amount of \$193,384 and Federal IV-E Child Care revenue in the amount of \$1,856.

Note: TANF funding is used to support a variety of child welfare services to serve children in needy families who are at risk of abuse or neglect. These services include child protective services investigations and family assessments, family in-home services to promote child safety and child well-being and permanency planning services to promote family reunification and timely permanency outcomes for children in YFS custody.

B. Recognize, receive and appropriate Permanency Planning federal revenue in the amount of \$3,213.

Note: Permanency planning federal revenue is used to support permanency planning services to promote family reunification and timely permanency outcomes for children in YFS custody.

15-2983 BUDGET AMENDMENT -- BEHAVIORAL HEALTH DIVISION (REVENUE INCREASE)

Recognize, receive and appropriate state funds in the amount of \$290,000 received from Mecklenburg County ABC Board for Substance Abuse Services.

Note: The Mecklenburg County ABC Board is required by North Carolina law to dedicate a percentage of their profits to support education, prevention, and treatment services to stop alcohol and other substance abuse in our community. Ten months of funding will be received by the Behavioral Health Division and allocated to the Anuvia Prevention and Recovery Center to support services provided at the Substance Abuse Services Center.

15-2985 MINUTES

Approve Minutes of Regular meeting held December 1, 2015 and Closed Session held December 1, 2015.

15-2987 APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS
TO REVIEW EACH MAP AND PLAT RECORDED IN THE
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

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BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Robert M. Zink, Brendan M. Smith, Mark Chapman, Yi-Chen Chien, Tommy L. Ferguson, Kimberly S. Calhoun, and Meredith M. Nesbitt are hereby designated as a Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-2988 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of \$1,115 for Park and Recreation and \$8,339 for Asset and Facility Management.

Note: The County received insurance proceeds based on claims for stolen and damaged items for the departments identified. This Board action provides authority to use the funds for replacement of these items.

15-2989 CONSTRUCTION CONTRACT -- FREEDOM PARK RENOVATIONS

Award a construction contract to Edison Foard Construction Services, Inc. in the amount of \$811,200 for the Freedom Park Renovations Project.

15-2993 HAZARD MITIGATION PROGRAM - FY16 FLOODPLAIN ACQUISITIONS

1. Accept the Offer of Sale of Real Estate from Donald & Ramona Hagler, owners of property at 3505 Johnny Cake Lane (Tax Parcel 209-112-08), for \$395,000.

2. Accept the Offer of Sale of Real Estate from Elizabeth & Harold Ballenger, owners of property at 4833 Stafford Circle (Tax Parcel 163-083-12), for \$325,000.

3. Accept the Offer of Sale of Real Estate from Fredy Villa & Colleen Kung, owners of property at 4815 Stafford Circle (Tax parcel 163-083-11), for \$340,000.

4. Accept the Offer of Sale of Real Estate from Frances Humphreys, owner of property at 3827 Winfield Drive (Tax Parcel 131-102-08), for \$147,000.

5. Accept the Offer of Sale of Real Estate from Robert Blakeney, Jr., owner of property at 5111 Dolphin Lane (Tax Parcel 099-081-05), for \$92,000.

6. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: These acquisitions were being done through the County’s Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

15-2995 LEASE AGREEMENT -- SECOND HARVEST PROPERTIES, INC.

Authorize the County Manager to negotiate and execute a forty-year lease agreement with Second Harvest Properties, Inc. and all other documents necessary to effectuate the lease agreement on a portion of Tax Parcel 078-454-05 (500-B Spratt Street) and Tax Parcel 078-454-39 located on Spratt Street for the operation and expansion of Second Harvest Food Bank of Metrolina.

15-2996 BRIAR CREEK GREENWAY -- AGREEMENTS

- A.** Accept donation of easements consisting of +/- 4.51 acres from Museum Plaza II LLC (Tax parcels: 155-151-17, -18); Eastover Woods LLC (Tax parcel: 155-141-10); and Eastover Ridge LLC (Tax parcel: 155-151-02) for the construction, maintenance and repair of a portion of the Briar Creek Greenway.

- B.** Accept donation of +/- .1045 acres of temporary construction easement on Tax Parcels 155-151-02 and 155-141-10 from Eastover Ridge LLC and Eastover Woods LLC for enhanced access during the construction of Briar Creek Greenway.

- C.** Authorize the County Manager to negotiate and execute documents for an agreement with E. C. Griffith Company to amend and clarify certain deed restrictions and conditions related to Eastover Park, Tax Parcel 155-151-03.

15-2997 BUDGET AMENDMENT -- PARK AND RECREATION PROGRAM REVENUES AND EXPENSES

Recognize and appropriate \$4,500 in fee revenue for the SW Nature Preserve Park and Recreation program.

15-2998 GRANT APPLICATION -- MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT (MIPPA)

Approve a grant application of up to \$6,000 for a MIPPA Grant from the NC Senior Health Insurance Information Program (SHIIP) and if awarded, recognize, receive and appropriate such funds.

Note: Mecklenburg County Park and Recreation Department is requesting approval to apply for and receive, if awarded, a Medicare Improvement for Patients and Providers Act (MIPPA) grant from the North Carolina Insurance Division of Senior Health Insurance Information Program for up to \$6,000. The grant awards will be distributed in FY2016 and will be used to provide outreach educational sessions about Medicare subsidies to low income seniors. There is no required match for these dollars. Applications for the grant must be submitted to the North Carolina Division of Insurance SHIIP office by January 8, 2016.

15-3002 2008A CERTIFICATES OF PARTICIPATION INTEREST RATE MODE CONVERSION

EXTRACTS

Commissioner Vilma D. Leake introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title:

RESOLUTION AUTHORIZING AND APPROVING CONVERSION OF INTEREST RATE MODE ON

DECEMBER 15, 2015

VARIABLE RATE CERTIFICATES OF PARTICIPATION (2008A MECKLENBURG COUNTY)

Upon motion of Commissioner Vilma D. Leake, seconded by Commissioner Ella B. Scarborough, the following resolution was passed by the following vote:

Ayes: Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Noes: None

* * * * *

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “Issuer”):

WHEREAS, the Issuer previously issued its \$124,960,000 Variable Rate Certificates of Participation (2008A Mecklenburg County) (the “Certificates”) pursuant to a Trust Agreement dated as of February 1, 2008, as amended by First Amended and Restated Trust Agreement dated as of February 1, 2013 (the “Trust Agreement”);

WHEREAS, the Issuer wants the interest rate mode for the Certificates to be converted (the “Conversion”) from an Index Floating Rate to a Bank-Bought Index Floating Rate on January 12, 2016, with Wells Fargo Bank, National Association or an affiliate thereof (the “Bank Holder”) to own all the outstanding Certificates, all pursuant to the provisions of the Trust Agreement and a Continuing Covenant Agreement between the County and the Bank Holder (the “Covenant Agreement”), a draft of which has been made available at this meeting;

WHEREAS, in connection with the Conversion, certain amendments to the Trust Agreement are necessary and shall be effected by a First Amendment to First Amended and Restated Trust Agreement dated as of January 1, 2016 (the “First Amendment”), a draft of which has been made available at this meeting;

- 1. The Conversion is hereby authorized and approved.
- 2. Each of the Covenant Agreement and the First Amendment is hereby approved, with such changes, insertions and omissions as appropriate.
- 3. Each of the officers of the Board, the County Manager and the County Director of Finance are authorized and directed to negotiate, execute and deliver any certificates or documents that they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution and the documents described above, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the Board.
- 4. This resolution shall take effect upon its passage.

Extract/Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

15-3003 TAX REFUNDS

Approve refunds in the amount of \$627,027.85 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$69,777.78.

A list of the taxpayer recipients is on file with the Clerk to the Board.

15-3005 DESTRUCTION OF DOCUMENTS -- LUESA CODE ENFORCEMENT

Approve the disposal of LUESA (Code Enforcement) records and plans in accordance with North Carolina records retention policies These records comprise:

Approximately 7200 Revenue Collection Department documents containing credit card / echecks receipts for periods as follows:

- 3/31/04 - 6/30/04
- 2/14/05 - 6/30/05
- 7/2/05 - 9/2005
- 10/3/05 - 12/30/05
- 1/3/06 - 3/31/06
- 4/3/06 - 7/31/06
- 8/1/06 - 11/30/06

This is 20 months of documents dated back to 2005.

Approximately 35,000 Text Documents from the Administrative Support Team's - Document Control including paper records moved to electronic format. Time Period: Jan 2013 - Nov 2013 [Temp Utilities Application, Address Verification Form, Certificate of Compliance Forms, Engineer Letters, Limited Condition Power Forms, Permit Applications, Permit Cancellation Letters, Pre-Inspection Forms, Residential Plot Plan Forms, Temporary Certificate of Occupancy Forms and Erosion Control Forms]

3,560 old plans on CD's for time period Nov 2011 - Nov 2013 (records exceed 2 year retention schedule)

1950 old paper plans for time period Sept 2011 - Dec 2012 (records exceed 2 year retention schedule)

15-3007 BUDGET AMENDMENT -- FY16 JCPC FUNDING (REVENUE INCREASE)

1. Recognize and appropriate additional FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$28,062; and

2. Approve FY16 funding allocation plan for the \$28,062 in additional funding as recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC). The JCPC recommended allocating the additional funding to the following programs:

- DASH Strengthening Families: \$8,750
- Shift Restitution: \$14,270
- Tresports: \$5,042

Note: The FY16 state budget included \$28,062 in additional funding to the Mecklenburg JCPC for allocation to local programs that serve juveniles who commit delinquent acts or are at-risk of becoming court-involved. Because of the small funding amount, the Department of Public Safety instructed the JCPC to allocate the additional funding among the programs currently funded in FY16. Each currently funded program had the opportunity to submit a request for additional funding.

15-3013 2016 BOCC MEETING SCHEDULE – AMEND

Amend the 2016 BOCC Meeting Schedule to correct the location of the annual North Carolina Association of County Commissioners (NCACC) Conference from Greenville, NC to Winston-Salem, N.C., Forsyth County.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Dunlap left the dais and was away until noted in the minutes.

15-2974 BUDGET AMENDMENT -- DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$301,888 in federal revenue for Simplified Nutrition Assistance Program (SNAP) Employment and Training Program.

Commissioner Leake removed this item from Consent for more public awareness.

15-2975 BUDGET AMENDMENT -- DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

A. Recognize, receive and appropriate Crisis Intervention Program (CIP) federal revenue in the amount of \$119,614

Note: The North Carolina Division of Social Services (NCDSS) allocated an additional \$119,614 in federal revenue for energy assistance. Funding is to assist low-income persons with heating or cooling needs through the year. The CIP program is contracted through Crisis Assistance Ministry.

B. Recognize, receive and appropriate Low Income Energy Assistance & Crisis Intervention Payments Administration (LIEAP/CIP) federal revenue in the amount of \$1,865

Note: The North Carolina Division of Social Services (NCDSS) allocated \$1,865 additional funding to Mecklenburg County Department of Social Services (DSS) which will assist the County in administering the energy program.

C. Recognize, receive and appropriate additional Child Care Subsidy and Administration revenue in the amount of \$2,006,329, of which, \$1,748,311 is federal revenue and \$258,018 is state revenue

Note: The funding authorization from NC Division of Development and Early Education (NCDDEE) reflected an additional \$1,928,771 for Child Care Subsidy and an additional \$77,558 for administration. Child Care Resources, Inc. (CCRI) is the Child Care administrator.

D. Decrease State Smart Start Child Care Subsidy and Administration revenue by \$147,475.

Note: The North Carolina Division of Child Development and Early Education (DCDEE) reduced Smart Start Child Subsidy and Administration revenue by \$147,475. Child Care Resources, Inc. is

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the child care administrator. The reduction in dollars will impact the overall amount of children who receive services, however, we do not anticipate a disruption in services of anyone who is currently receiving services. The impact will be felt by our waiting list growing.

Commissioner Leake removed this item from Consent for more public awareness.

15-2976 BUDGET AMENDMENT -- DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

A. Recognize, receive and appropriate Adult Day Care funding in the amount of \$37,126, of which, \$19,423 is federal revenue and \$17,703 is state revenue

Note: The North Carolina Division of Aging and Adult Services is providing additional funding of \$37,126 for adult day care services. Funds are used to purchase adult day care and adult day health care services from certified adult day services providers for at-risk adults, age 18 and over. The 12.5% county match required has been budgeted for this program, no additional county funding required.

B. Recognize, receive and appropriate Federal Home and Community Care Block Grant (HCCBG) funding in the amount of \$37,466

Note: The North Carolina Division of Aging and Adult Services is providing additional funding of \$37,446. The Centralina Council of Governments (CCOG) and Mecklenburg County Department of Human Services entered into a contractual agreement to provide services for the elderly and disabled citizens of Mecklenburg County. A 10% county match is required for the support of this program which is currently included in the Fiscal Year 2016 operating budget.

C. Reduce Social Services Block Grant (SSBG) funds in the amount of \$13,950, of which, \$3,945 is a reduction of federal revenue and \$10,005 of state revenue

Note: The North Carolina Division of Social Services (NCDSS) federal revenue decreased by \$3,945 and state revenue by \$10,005. This funding is for services for eligible seniors and disable clients.

D. Recognize, receive and appropriate Federal In-Home Funding in the amount of \$11,702

Note: The North Carolina Division of Aging and Adult Services is providing additional funding of \$11,702 for State In-Home Care.

15-2991 SUSAN G. KOMEN FOUNDATION GRANT APPLICATION – HEALTH DEPARTMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submittal of a renewal grant application for \$150,000 to the Susan G. Komen Foundation to be effective April 1, 2016 and if awarded, recognize, receive and appropriate awarded funds for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

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Note: The Mecklenburg County Health Department is requesting approval to apply for renewal funding from the Susan G. Komen Foundation for the period April 1, 2016 through March 31, 2017. This funding will augment the funding we currently receive from the State to provide

breast and cervical cancer screening for uninsured women. The grant application is due December 16, 2015.

Commissioner Dunlap returned to the dais.

15-2992 CONSTRUCTION CONTRACT -- SOUTHWEST COMMUNITY PARK

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Holden Building Company, Inc. in the amount of \$2,226,500 for Southwest Community Park.

Commissioner Leake removed this item from Consent for more public awareness. Mark Hahn, Director of Asset and Facility Management addressed the item.

15-2994 ARCHITECT SELECTION -- SECOND WARD GYMNASIUM

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate a fee and execute a contract with Neighboring Concepts for Architectural/Engineering Services for the Second Ward Gymnasium, and in the event that negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of LS3P.

Commissioner Leake removed this item from Consent for more public awareness.

15-3008 DECLINE RIGHT OF FIRST REFUSAL -- CHARLOTTE-MECKLENBURG SCHOOLS PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County's statutory right of first refusal on Tax Parcel #223-091-03 (+/-32 acres) that is owned by the Charlotte-Mecklenburg Board of Education to permit a sale of the property to Meritage Homes of the Carolinas, Inc.

Commissioner Leake removed this item from Consent for more public awareness.

Note: By state statute, the County must decline its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. Meritage Homes of the Carolinas, Inc. would like to acquire Tax Parcel #223-091-03 from Charlotte-Mecklenburg Schools for future housing construction purposes. The property surrounds Ballantyne Elementary School (Tax Parcel 223-091-31) on all sides and was purchased by CMS when the current elementary school site was purchased. During construction of the school, CMS developed the lots for residential use. CMS had plans to offer the lots for sale on the private market at the conclusion of construction on the school; however, the residential market was in poor shape at that time and CMS decided to wait until a later date to sell the property. Charlotte-Mecklenburg Board of Education has been offered a purchase price of \$6,000,000 for the property.

Prior to the above vote:

Commissioner Leake asked for clarity with respect to the meaning of “decline right of first refusal,” which was addressed by County Attorney Bethune.

Chairman Fuller noted that the County would not receive any of the proceeds from the sale of the property.

Commissioner Puckett said he recalled when the Board of Education purchased the property in question and that it was done with the intent of selling it for future development.

Commissioner Puckett said the Board should be cautious going forward of approving land purchases for Charlotte-Mecklenburg Schools when the intent was to sell the property for future development by the private sector.

Commissioner Clarke asked whether buyers of right of first refusal property tend to offer less in terms of the value of the property. *County Attorney Bethune addressed the question.*

Commissioner Clarke asked was there a way to track how the Board of Education reinvests the proceeds from the sale. *County Manager Diorio said that information would be inquired upon during discussions with CMS regarding future capital needs.*

Commissioner Dunlap said going forward CMS should make the Board aware of when they’re purchasing more land than what’s needed for a particular project.

Commissioner Dunlap said he agreed with Commissioner Clarke that the County should be made aware of how the proceeds of this sale were used, but also, proceeds from all sales. He said this would provide the Board with knowledge of how much funding CMS already had available to use, prior to their request of the County.

Commissioner James questioned whether CMS was trying to get into housing development or was it coincidental that they once again, purchased more property than was needed and a housing developer was interested in purchasing it. Commissioner James said this occurred years ago with property owned by CMS in the Ballantyne area.

Commissioner Leake asked when the property was purchased by CMS, which was addressed by County Attorney Bethune. *It was noted that the property was purchased in August 2005 by the Board of Education for \$4,126,500 according to what was noted on Polaris.*

**15-3015 RESOLUTION APPROVING APPOINTMENT OF DIRECTOR OF THE
CONSOLIDATED HUMAN SERVICES AGENCY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt a resolution on the County Manager's recommendation for Director of the Consolidated Human Services Agency, Assistant County Manager Anthony Trotman.

**RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF
COMMISSIONERS ADOPTING THE COUNTY MANAGER’S RECOMMENDATION
FOR DIRECTOR OF THE CONSOLIDATED HUMAN SERVICES AGENCY**

WHEREAS, in February 2008, Mecklenburg County Board of Commissioners created a consolidated county human services agency (CHSA) governed by a consolidated human services board, pursuant to G.S. 153A-77(b), and

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thereafter assumed the powers, duties and responsibilities of the consolidated human services board in accordance with G.S. 153A-76 and 153A-77(a); and

WHEREAS, *the Board of Commissioners consolidated the provisions of human services in Mecklenburg County under the direct control of the County Manager, who exercises all powers, duties and responsibilities of a human services director as the same is described in G.S. 153A-77(b); and*

WHEREAS, *under G.S. 153A-77(e) the human services director of a consolidated county human services agency reports directly to the County Manager and shall be appointed and dismissed by the County Manager with the advice and consent of the consolidated human services board; and*

WHEREAS, *pursuant to Resolution adopted in January 2015 the County Manager assumed the duties of director of the CHSA and now recommends to this Board that Assistant County Manager Anthony Trotman be appointed and assume the duties of Director of the County Consolidated County Human Services Agency (CHSA) in conjunction with his position as Assistant County Manager; Now therefore, be it*

RESOLVED, *that the Board of Commissioners of Mecklenburg County, pursuant to G.S. 153A-76, 153A-77 and this Board’s resolution adopted February 5, 2008, does hereby consent to the recommendation of the County Manager designating Assistant County Manager, Anthony Trotman as Director of the County’s Consolidated Human Services Agency (CHSA).*

Resolution recorded in full in Minute/Ordinance Book _____, Document # _____.

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:37 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman